California Journal

THE MONTHLY REPORT ON STATE GOVERNMENT AND POLITICS

Governing L.A. – city and county

'74 Legislature: Will new Capitol vanish with state's big surplus?

January 1974

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A MESSAGE FROM THE PUBLISHER...

Four going for eleven

The masthead on the facing page reads Volume V, Number 1, a satisfying milestone for those who remember the founding of the *California Journal*. The four years seem more like ten to me — a long, long time of fighting to keep the magazine alive and growing. It is good to pause on this anniversary to reflect on what we have accomplished besides merely survive, and to share our objectives for the future.

We are proud of what the *Journal* has become and of its reputation for fairness and objectivity in a field in which these commodities are in short supply. The credit for its success is shared by more people than we could possibly mention here: staff, contributors, interns, friends, critics, creditors, donors, and, of course, subscribers.

* * *

The year 1973 saw a significant editorial redirection, which we believe — and reader reaction unanimously confirms — makes the *Journal* livelier and more compelling reading, while extending the magazine's unique monthly coverage of state government and politics. An expanded art and contributor budget has enabled us to make the magazine more attractive, the approach and writing style more varied.

These changes have largely been accomplished under the direction of Ed Salzman, who joined the *Journal* as editor in August and has already placed his imprint clearly on the magazine. The efforts of Salzman and Bruce Keppel, the managing editor who joined the magazine in June 1972, in revitalizing the editorial side of the *Journal* have considerably eased the circulation and financial problems on which I have been able to concentrate since becoming publisher last summer. Editorial and design achievements have no point, after all, if not to hold present subscribers and attract new ones; ultimately, the *Journal's* readership justifies its existence.

In 1973, we have been able to devote considerable energy to promoting circulation, which this month passed 4,700 paid subscribers. This is up nearly 1,000 in just the last five months, and represents a 50 percent increase over a year ago. If this growth rate can be maintained the future of the *Journal* is assured.

These accomplishments notwithstanding, *California Journal* continues as a financially precarious venture, at least in the short run, and especially in the face of continually increasing production costs. The Ford Foundation recently renewed its support through 1974-75, though at a reduced level. In addition, we gratefully acknowledge grant support from the Michael J. Connell Foundation, the Norton Simon Foundation, the Apple Hill Foundation, and the Crown Zellerbach Foundation, and the personal contributions of Dormon Commons and Cornelius Dutcher. Nevertheless, we must continue to expand our base of support from individuals and foundations in 1974 if the *Journal* is to become self-sustaining by 1975. We expect to reach that goal, but it will take continued help by those who believe in the purpose underlying the *Journal's* existence.

Because we believe it important to make thorough and objective information on California government as widely available as possible, we will continue to resist the inevitable pressure to raise our individual subscription price above the original $15. Though an increase may become necessary, we intend to try to gain sufficient support in other ways to make that move unnecessary.

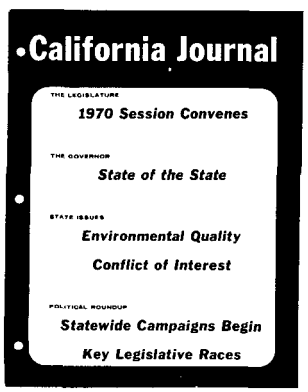
* * *

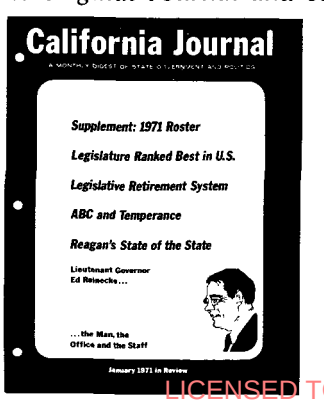
We are taking three steps in addition to continuing to build our readership. First, we are asking each subscriber who can do so to make a tax-deductible contribution to the California Center for Research and Education in Government, the nonprofit organization that publishes *California Journal*. These contributions go entirely to supporting the magazine. We are also actively seeking a wider base of foundation support, including grants from corporate foundations and smaller private foundations. Finally, we are working to justify the continued support of all those who have helped us before. In this regard, reader support and new foundation support will help us doubly by demonstrating tangibly to past supporters the importance of the *Journal* to the citizens of California.

I look forward to addressing our readers each January for many years to come. With your support the next four years will be just as full of accomplishment as the last four.

THOMAS R. HOEBER

The original Journal and each succeeding January issue

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Legislature Ranked Best in U.S.
Legislative Retirement System
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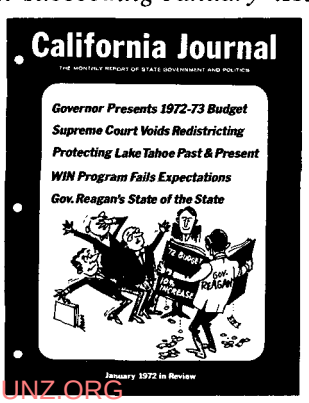
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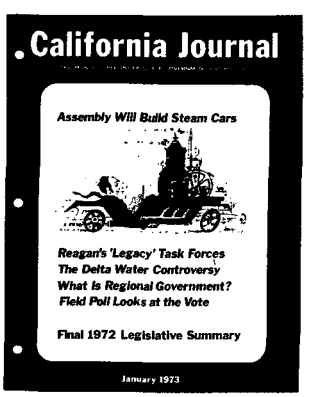
January 1972 in Review



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California Journal

Volume V, Number 1
January 1974

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CALIFORNIA JOURNAL is published by the California Center for Research and Education in Government, a nonprofit, tax-exempt corporation. Publication is assisted by grants from **The Ford Foundation, Michael J. Connell Foundation, Apple Hill Foundation, Norton Simon Foundation,** and **Crown Zellerbach Foundation.**

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Contents

1974 Legislative Preview

Paradise Lost: The vanishing state surplus 5

New Capitol: 'A tabernacle to ourselves'? 7

Two-year session: Success or failure? 11

State's return to the job-hunting business 13
"Human resources development" may have been a grand idea, but it turned up fewer and fewer jobs, even for those unemployed Californians who had skills

Final reapportionment plan — or is it? 15
The Supreme Court made only minor changes to the map submitted by the special masters, but some senators got an unexpected break, and that may yet be challenged

Governing Los Angeles:
- **Mayor Bradley's quest for 'leadership'** 22
- **Why everyone wants to be supervisor** 24

Surprise conclusions on local government structure 28
Governor Reagan formed a task force a year ago to see if duplication and waste couldn't be eliminated. He may be astonished at the findings

Campaign '74: Who will go to the starting gate? 32

Welfare showdown: Reagan over a barrel 4

Where the Sacramento elite meet to eat 10

DMV's struggle to meet demand for driver's licenses 34

DEPARTMENTS

Newsbriefs 35
Court actions 36
Selected reports 37
California calendar 37
Newsmakers 38
A personal perspective .. 39

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Welfare showdown: Reagan over a barrel

By Bruce Keppel

Aged, disabled and blind Californians were going to get more than $212 a month starting January 1st, whether the Legislature or the Reagan Administration prevailed. The question always was: How much more?

The answer was reached during a three-day December meeting of the Legislature called to set the amount and to enable the state to participate without penalty in a federal takeover of welfare administration for the three adult welfare categories. The compromise measure provides average monthly grants of $235 for the aged or disabled and of $265 for the blind. These levels are not only considerably higher than Governor Reagan had sought ($221 a month for the aged or disabled, $237 for the blind), but also more than the Democratic leadership in the Legislature had proposed before recessing $230 for the aged or disabled, $255 for the blind).

Reagan had managed to block the legislation, AB 18, by persuading enough senators that his administration could join the federal program and set the state's level of support without troubling the Legislature. With that victory, he instructed Health and Welfare Secretary Earl Brian to proceed.

Court steps in

The scenario abruptly changed on November 19th, when the Third District Court of Appeal ruled, in a challenge by groups of welfare recipients, that the administration was acting outside state law and required legislative approval to contract with the federal government for a transfer of California funds.

The court's decision would have left the state's level of support where it was and add to it a sharply increased federal contribution of $130 a month. Doing so would have cost the state dearly by maintaining a level of support that had been expected to decline somewhat, losing an estimated $600 million in federal funds for Medi-Cal, and doubling administrative costs. In addition, county welfare departments would have been pressed to get out checks they hadn't figured on handling. (Under HR 1, the federal law authorizing the shift in administration, recipients will receive one consolidated check from the Social Security Administration in Baltimore, Maryland.)

Legislature acts

For these reasons, legislative action was imperative to the Governor. It could be accomplished either through his calling the lawmakers into special session or through the legislative leadership's reconvening the recessed 1973 session. As it happened, both options were exercised. In the absence of Reagan, who was on a 12-day tour of the Far East for President Nixon, Lieutenant Governor Ed Reinecke called the special session. (He did so, legislative leaders claim, without consulting them; had he done so, they say, he would have been told that faster action would be possible for procedural reasons, if the Legislature merely reconvened). So both houses assembled for the special session December 4th, promptly adjourned, then reconvened the 1973 session.

It then became possible to use as a vehicle for compromise a bill, AB 134, that had already passed both houses and was before a conference committee. So the bill's substance, which originally dealt with Medi-Cal, was amended out and the compromise, based upon AB 18, amended in.

The negotiations leading to that compromise were tough for the administration, which had no suitable alternative but to give AB 18's author, Assemblyman John Burton, who is also state Democratic Party chairman, pretty much whatever he wanted. In Reagan's absence, Brian and state Welfare Director David Swoap were left to save the boss what face they could. There wasn't much.

Relative's responsibility diluted

For example, Burton agreed to retain the principle that the relatives of a recipient bear a financial responsibility to the state for his or her support, a principle dear to Reagan and affirmed December 12th by the state Supreme Court. [See p. 36.] But in doing so, he actually rendered it impractical to apply, since AB 134 restores a relative's level of contribution to where it was before it was sharply increased by the Welfare Reform Act of 1971 — a level so low as to make enforcement unprofitable.

Burton also let drop from his bill a proposed reorganization of the way federal funds are allocated to the counties for social services to the aged, disabled and blind. These funds are provided on a 75-25 percent federal-county matching basis. Not all counties have fully realized their social-services potential, however, resulting in some loss of federal funds.

The Assembly passed AB 134 by a 67-1 vote, the Senate by 28-5. (Voting against the measure were Assemblyman Robert Burke and Senators Clark Bradley, Dennis Carpenter, H. L. Richardson, John Stull and James Whetmore.) Reinecke then signed the bill late December 5th, the deadline set by the federal government for making the January payment.

Speed limit lowered

That accomplished, the Legislature made a token gesture toward easing the energy crisis. By passing AB 1969, by Assembly Speaker Bob Moretti, it lowered the state speed limit from 65 miles an hour to 55, effective January 1st. Also adopted was a resolution by Senate President pro Tempore James Mills urging that the state designate certain highway lanes for the exclusive use of buses and cars carrying more than one occupant. The Assembly also asked the state Department of Transportation to minimize projected layoffs of up to 3,000 workers by spring.

And not least, urgency legislation creating an energy "czar" with broad emergency powers was introduced by Morretti. This means that it will be eligible for committee action this month, so that the 1973 rump session was, in its way, a preview of the 1974 session.

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Paradise Lost: The vanishing state surplus

California's cornucopia was overflowing a year ago. Governor Ronald Reagan and the Legislature had an extra billion dollars to play around with and eventually enacted a rather generous $9.3 billion budget and handed some $700 million back to the taxpayers in tax relief. That was supposed to leave about $300 million in surplus funds available when the current fiscal year ends June 30th.

What a difference a year makes! As the Legislature returns for the second half of its first two-year session imposed by enactment of Proposition 4 in 1972 [see story on page 11], few goodies are left, and those that remain should soon be gone. So once again, the state is on short rations. That fact should be the pivotal element during the 1974 meeting of the state Legislature.

Two events are responsible for the drastic turnaround in the state's financial picture:

- An appeals court ruling that the Reagan administration can't implement the new federal welfare law, HR 1, without legislative authority and thus must pay higher benefits than planned to the aged, blind and disabled. This triggered a special session of the Legislature and enactment of a bill December 5th estimated to cost the state about $123 million a year.
- The energy shortage, which has cooled off the economy, will lower the state's current revenues below what had been anticipated. This will mean that the income projection for 1974-75 must be scaled down measurably.

The welfare issue evaporated during the special session, but energy will be one of the first orders of business when the lawmakers return to work January 7th. There will be dozens of proposals for coping with the energy problem, in addition to those advanced during the brief December meeting.

Settling welfare

Shortly after the appeals court issued its welfare ruling there were immediate demands from counties for a special session. The Governor took the view that there would be little to gain from such a move unless a prearranged deal could be made with the Democratic leadership on a bill to set new grant levels for the aged, blind and disabled. Assemblyman John L. Burton of San Francisco had the upper hand in bargaining sessions with Dr. Earl Brian, secretary of health and welfare, because welfare recipients would be better off under the court order than under Burton's own bill, AB 18, which Reagan had killed during the 1973 regular session. The result was that Acting Governor Ed Reinecke signed into law a benefits package even more generous than the one sought by Democrats only a few months ago [see page 4].

Legislative Analyst A. Alan Post estimated that had the Legislature not acted the additional cost to the state would have been $75 million during the current fiscal year and another $200 million in 1974-75. The Reagan Administration thus saved about $100 million through the compromise with the Democratic forces led by Burton.

Energy and budget

Even that $100 million in savings will not prevent a severe fiscal crunch. The energy crisis works two ways: It reduces state income by cooling off the economy, and it increases state expenses by increasing unemployment and swelling welfare rolls. This situation could put Reagan perilously close to the necessity of seeking a tax increase to make ends meet, assuming that the 1974-75 budget runs about $10 billion, as has been estimated by Reagan's Finance Director Verne Orr. Post is not alone in sounding the fiscal tocsin; Orr, too, has warned that the 1974-75 budget will be all too delicately balanced.

The current year's budget was built upon an assumed growth rate in 1973 of about six percent (not including inflation). According to the experts, that figure will not be reached, and the prospect for 1974 is a growth rate of only 2.6 percent. This means that Reagan will be forced to return to his "cut and squeeze and trim" policy to prevent handing a deficit-budget to his successor in 1975. Some economists think, however, that the energy crisis should be over by 1975 and the state's revenues should resume a growth rate significantly above 2.6 percent.

The fiscal issue will be used to the utmost by Assembly Speaker Bob Moretti to maintain the momentum in his gubernatorial campaign obtained through his successful leadership of the campaign against Proposition 1. Moretti and Burton have already announced that they will sponsor a Democratic tax reform program that will probably become a major item before the 1974 Legislature [*CJ*, December 1973, p. 402].

Power politics

The entire energy picture is so complex — especially since it is primarily a national or even international problem — that it should remain alive through virtually the entire 1974 session. Moretti has set his staff to work on an energy package covering both long and short-range solutions to the problem. While the Governor has created a state Energy Planning Council headed by Lieutenant Governor Ed Reinecke, most major steps

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JANUARY LEGISLATIVE SCHEDULE

Here are the key dates in the first month of the 1974 meeting of the state Legislature:

January 7th — Legislature reconvenes second part of two-year session. Assembly meets at 2 p.m., Senate at 4 p.m.

January 9th — Governor Reagan presents his annual "state-of-the-state" message, outlining his legislative program for the year.

January 10th — Reagan and Finance Director Verne Orr hand the Legislature the proposed budget for the 1974-75 fiscal year.

January 30th — All bills introduced in 1973 must have cleared their house of origin or die.

to save fuel would require legislation. Last year, the energy field was the province of Assemblyman Charles Warren and Senator Alfred Alquist, who combined forces to put a major piece of legislation on the Governor's desk. The measure, which would have created a new commission responsible for power-plant siting and general energy policy matters, was vetoed by Reagan at the urging of the private utilities. The Governor indicated that he hopes to work out a compromise bill on the power-plant issue this year.

Environmentalists will be caught in somthing of a bind on the energy situation. Some of the steps that have been proposed to ease the crisis involve relaxation of air-pollution restrictions, such as the sulfur content of fuels used by buses.

Land-use control

Conservationists are primed to strike out in a different direction, demanding enactment of a law creating a statewide system of land-use control. Assemblyman Paul Priolo, chairman of the Assembly Committee on Land Use and Planning, is expected to be the author of a bill sponsored by the Sierra Club, the Planning and Conservation League, the California Coastal Alliance and other environmental organizations. In essence, the Priolo bill would extend statewide the principle begun with the San Francisco Bay Conservation and Development Commission and extended with the creation of the coastline commissions. If the bill were enacted, no major construction projects could be undertaken anywhere in California without approval from a state land-use agency.

A counter-attack on this approach is being launched by land-owner and developer interests. They will seek a requirement that property-owners be reimbursed when the state or local government prevents them, through zoning or other action, from extracting the full economic potential from their land. There are threats from both environmentalists and developers that they will take their proposals to the people through the initiative if they fail in the Legislature.

One major victim of the energy crisis will be the state highway budget, which is supported primarily from gasoline-tax revenues. As less gasoline is sold, the highway fund will shrink. This will not only mean less money for freeway construction but a cutback of perhaps 10 to 15 percent in grants to local government to build and maintain city streets and county roads. Once the impact of this curtailment hits local government, there may be demands in Sacramento for more state money for local government (which cannot increase property taxes under the 1972 Reagan-Moretti tax reform program). Already, the state Department of Transportation has warned that it may be forced to lay off as many as 2,000 employees by spring.

Another potential victim is the new Capitol project for which the Legislature appropriated a $42 million down payment last year [story on page 7]. In a time of austerity, can lawmakers justify spending $100 million or more on a project that benefits primarily themselves?

Election-year influence

The energy shortage aside, the 1974 meeting will be far different from the 1973 session because this is an election year, and numerous members of the Legislature will be campaigning for higher office. Every major issue will become embroiled in the political ambitions of the leaders of both political parties.

In the Assembly, Speaker Moretti is a candidate for Governor. Already the race is under way for his job between two San Francisco Democrats, Willie Brown and Leo McCarthy. They will be devoting their efforts to lining up votes for the speakership contest, although it may be a full year away.

In the Senate, Democratic Floor Leader George Moscone, is also running for Governor. The two caucus chairmen, Democrat Mervyn Dymally and Republican John L. Harmer, are in the race for Lieutenant Governor. And the upper house has several other possible statewide candidates, including Democrat David Roberti for Lieutenant Governor and Republican George Deukmejian for Attorney General.

Attorney General Evelle J. Younger, will play a key role in the 1974 session. He has indicated that he will bear down hard in an effort to get a package of law-and-order legislation approved by the Assembly Criminal Justice Committee, which over the years has consistently refused to clear major legislation sought by law-enforcement agencies. Younger is expected to seek enactment of recommendations made last August by the Governor's Select Committee on Law Enforcement Problems. The key proposal, strongly backed by Reagan, would eliminate the so-called exclusionary rule established in a series of California and United States Supreme Court decisions. The rule states that evidence obtained by unreasonable search and seizure cannot be used as evidence in a trial. Chairman Alan Sieroty and the Democratic majority of the Criminal Justice Committee have taken a negative view on the proposal. Prior to the defeat of Proposition 1, Younger was talking about placing the task force proposal before the voters in the form of an initiative.

Local government reform

The work of another task force — this one on local government reform — also will be presented to the Legislature in 1974. It is doubtful, however, whether the recommendations of this panel will be given even serious consideration during the few months before the election [see page 23].

Although their chances of success in the Legislature are not bright, Younger and the Local Government Reorganization Task Force will have one major advantage in prosecuting their projects: Neither will be directly involved with the incredibly complex energy issue or will be seeking funds from the once-enormous state surplus, which has vanished almost overnight.

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New Capitol: 'A tabernacle to ourselves'?

Only the privileged few will be allowed to watch the California Legislature in action this year. The balconies will be closed, and limited public seating will be available on the floor of the Senate and Assembly. Those unable to obtain seats will be able to view the proceedings, however, by closed-circuit television in committee hearing rooms. The Legislature's Joint Rules Committee put the chambers — indeed the entire 104-year-old Capitol — off limits to the public this year for the announced reason that the structure would be unsafe in the event of a major earthquake. Even the fortunate few able to obtain floor passes to the chambers will be required to sign waivers of liability. Legislators themselves, the press and staff members are excluded from the order under the assumption that they are aware of the risk.

This action is part of a legislative campaign to abandon the Capitol and build a new one a few blocks east. The other reason given for the necessity of a new building is that the Legislature desperately needs more room and is paying a premium to rent space in downtown Sacramento.

Collier's dream

Within the next few months, the Legislature is scheduled to make a final decision on the new capitol plan hatched almost a decade ago by the senior member of the Senate, Randolph Collier of Siskiyou County. In recognition of his long single-handed campaign for the project, the new capitol is commonly called "Collier Towers." The Senator wasn't taken very seriously in the early years because most of his colleagues saw little chance in selling the project to the public. Then Senator Alfred Alquist of San Jose, chairman of a Seismic Safety Committee, reported that the Capitol would crumble if a major earthquake hit Sacramento. Collier, who is also chairman of the Senate Finance Committee, was in business.

The Senator, lining up Assembly Speaker Bob Moretti and Ways and Means Committee Chairman Willie Brown as his prime allies, attempted to ram the plan through the Legislature with little debate. Collier and Brown, as heads of the Legislature's two fiscal committees, obtained an appropriation of $42 million in the current state budget as a down payment on construction of Collier Towers and enough repair to the Capitol to permit its use at least as a museum.

The appropriation was not a final decision, however. Several more steps had to be taken before construction could begin. The biggest obstacle was probably Governor Reagan, who expressed his preference for expanding the present Capitol and the annex built in 1949. The foxy Collier may have eliminated even that potential roadblock by loudly proclaiming his support for the Governor's tax-limitation initiative, which the voters rejected in November. There was speculation at the time that the *quid pro quo*, if any, would be a hands-off policy by Reagan on the new capitol project as it reaches the climatic stage early this year.

Before agreeing to the $42 million appropriation, the Governor insisted that the public be given a voice on the issue, presumably through open hearings. The Legislature passed an enabling statute, but first promised no final action until alternative plans were explored, public hearings held and another vote by both the Senate and Assembly was taken. Reagan was not particularly pleased with the measure, authored by Brown; it was the only bill in 1973 he allowed to become law without his signature, emphasizing:

> I urge all citizens who are interested in the Capitol and the legislative process to become involved in the upcoming hearings. I have taken this unusual action because legislative leaders have said this is their responsibility alone and they will be accountable to the people for their action.

Despite some editorial skepticism, little public interest in the project has yet been shown. Senator Robert Lagomarsino, and others, have been pushing reconstruction of the present Capitol. The *Sacramento Bee*

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'You sell me your dream and I'll sell you mine.'

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also wants the building preserved, and has suggested editorially that a legislative office building be built close to the Capitol on state-owned property. But the possibility that a major earthquake could hit Sacramento — remote as that would seem historically — has inhibited expression of what many are thinking: that there is no real earthquake threat and that the legislators are using scare tactics to build themselves a modern new home.

Lawmakers saw color slides showing how the Capitol could crumble if the ground trembled sufficiently. Nonetheless, they decided overwhelmingly to assume that risk for themselves (after the press and others had already been ejected from their free quarters in the Capitol). Assemblyman Leroy Greene of Sacramento, a civil engineer, agreed that the building was dangerous, but estimated that the odds against loss of life are very small. It would take an earthquake big enough to destroy most of Sacramento to endanger legislators in their chambers, he said, and lawmakers occupy these large halls only four percent of the time.

The state is also taking another risk: State Treasurer Ivy Baker Priest remains in the Capitol in spite of orders to move. She is waiting for the Legislature to find her a new home for the $10 billion, mostly in negotiable securities, housed in a huge vault under the Capitol. Mrs. Priest has indicated that she is not about to move these stocks and bonds into quarters offering less security.

'A tabernacle to ourselves'

Members of the Joint Rules Committee, charged with handling the arrangements for the new Capitol, have recognized the project's potential political problems. As Assemblyman Ray Johnson of Chico observed, "We don't want to be accused of building a tabernacle to ourselves." So the committee employed a tactic long used by governmental agencies in seeking support for programs enjoying little public appeal: It contracted with two private consulting firms to study the problem and solution. Their recommendation: abandon the Capitol and build Collier Towers.

Was it necessary to spend $30,000 to find out whether the Capitol is inadequate and the Collier Towers plan preferable to rebuilding and enlarging it? The Joint Rules Committee had already made its own analysis, prepared by its staff director, Louis J. Angelo, and it provided precisely the same basic information as the two consulting firms. The Angelo report gave these reasons for vacating the Capitol:

- Long before the Legislature received its earthquake reports, the state was spending far too much money to rent space for legislative personnel. At today's rates, that space would cost $200,000 a year or more.
- In most legislative offices, two or three people share space originally intended for one person.
- Even removing the executive branch from the Capitol and annex would leave a shortage of 71,000 square feet, without taking into account projected future space needs.
- If the Legislature were to build a new Capitol, the executive branch would be able to occupy additional space in the old complex, saving more than $1 million in rent.
- By the year 2000, the Legislature will need 788,000 square feet of floor space, which would mean a deficiency of 456,000 square feet with the existing facilities.

The Angelo report also contained a summary of studies by the state architect and a consulting firm, VTN Consolidated, which described the earthquake hazard and urged abandonment of the Capitol. Angelo concluded:

> Certainly, from a cost standpoint alone, the need for a new legislative facility is clearly indicated. Not only will the Legislature save more than half a million dollars annually in rentals, but the executive branch could save in excess of $1 million annually by occupying the space vacated by the Legislature. Moreover, a new building would allow for a far more efficient operation of the Legislature and, in the long run, save taxpayers money. Additionally, construction costs continue to rise at a rapid pace. The sooner a new legislative facility is built, the more will be saved in inflated construction costs.

On November 20th, the two consulting firms — Reel/Grobman and Associates of Burlingame and Economics Research Associates (ERA) of Los Angeles — filed their reports, came to the same conclusion (that the Legislature needs more office space and a new structure to provide it), but differed on how much. ERA estimated that the new structure should contain 702,000 square feet at a cost of about $82 million; Reel/Grobman, 590,000 square feet at $44.4 million. In addition, about $40 million would be spent to reconstruct the old Capitol.

The ERA report, which weighs almost three pounds, begins with this statement:

> Since becoming a full-time body in 1967, the California Legislature has played an increasingly prom-

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inent role in the affairs of the nation's most populous state. The Legislature's greater responsibilities and work load, coupled with the ever-increasing complexities of the legislative function, have necessitated a rapid growth in manpower and consequently its required office space.

The Legislature has not used this approach in seeking the new capitol, but rather has emphasized the rent and earthquake factors — and for good reason. The ERA statement contains a series of false assertions: The Legislature did not become a full-time body in 1967, still is not a full-time body, and lawmakers still carry on private business activities; if anything, the Legislature has played a less prominent role in affairs of state during the past seven years under Reagan. Finally, workload has not increased and the legislative function has not become more complex.

Perhaps this is why Collier had so much trouble selling his proposal before the earthquake threat. While there surely would be massive damage if a major earthquake were to hit the area, which is sufficient reason to spend money on a Capitol project, what of the drastic increase in space requirements? The legislative staff has increased dramatically, and this has helped lawmakers become more proficient in their work. But in judging growth, such questions as these could be central in deciding how large the new building should be:

- Will there be a halt in hiring staff members with duties that are more political than governmental?
- Will the expansionist policy begun by former Assembly speaker Jess Unruh continue indefinitely?

Growth ethic

The size of the building will be the second key issue to be decided by the Legislature this year. The first will be the site. Will it be in the four-block area bounded by 15th, 17th, L and N Streets east of the present Capitol? Or will Senator Lagomarsino win his uphill fight to enlarge the present complex?

Lagomarsino claims the ERA and Reel/Grobman reports support his claim that the Capitol should be repaired and expanded at a cost of $57 million under a plan submitted by State Architect John Worsley. The Senator said his plan would save $60 million and preserve the historical value of the Capitol, and emphasized: "The consultants are planning a building to house 2,000 legislative employees sometime in the year 2010; this is ridiculous. If we make room for that many employees, you can bet that's how many we'll have within a few years."

Since Lagomarsino's proposal is vigorously opposed by Collier and his Assembly allies, there is virtually no chance that it will be adopted. But it can serve as a minor stumbling block that could delay adoption or force a scaling down of the Collier plan as designed by the architectural firm of Harry J. Devine, Inc. Other stumbling blocks:

- Uncertainty over funding as a result of a downturn in the economy.
- The difference in the consultants' reports on how big the proposed legislative building should be.
- The possibility that there will be a stronger public protest, especially if other major newspapers join the McClatchy newspapers (Sacramento, Modesto and Fresno) in their attacks.

Approval likely

Chances are good, however, that Collier will be able to obtain final approval for the Devine design without drastic alterations. As now contemplated, the complex would contain two 17-story towers (one for each house and with enough corner offices for almost every legislator and key legislative department head), a three-level central core containing the chambers, hearing rooms and other public facilities, and a 2,500-car underground garage. Collier is willing to merge the two towers if it will make it easier to put the project across.

Even if the Legislature were to give the go-ahead for construction early this year, construction could still be delayed. This is because the federal Environmental Protection Agency has handed down air-pollution regulations for central Sacramento that would prohibit development of additional parking facilities, and the EPA edict covers state government. In any event, it would probably be at least five years until the new capitol is completed. Meanwhile, the lawmakers will have to occupy quarters most Californians would find comfortable and run a risk so great that the general public must not be exposed to it.

It was said

It's possible to be poor and become a legislator; it's possible to be honest and become a legislator; but it's damned hard to be both poor and honest.

. . . by former Assembly Speaker Jess Unruh, urging a legislative committee to push for public financing of political campaigns.

I never deluded myself into thinking that I defeated Proposition 1. I get the applause and I get the credit, because for the first time Ronald Reagan was pulled off his horse. But you did it.

. . . by Assembly Speaker Bob Moretti, speaking at a Sacramento fund-raising dinner.

What water development has done and what it will do in the future is truly inspiring to contemplate. However, I do not want to make water development sound like a panacea. In spite of all the good that has been accomplished, mistakes have been made. We need to recognize them and the fact that the public's values and attitudes are changing.

. . . by John R. Teerink, director of the state Department of Water Resources, before the Association of California Water Agencies.

There's no problem being a woman legislator. I don't permit it . . . . You must learn to understand men's language and then you can get along. I learned, and I got along . . . . Women have a tendency to go more in depth in researching something. That is inherent in women, and that's an advantage.

. . . by Assemblywoman Pauline Davis, in an interview with the McClatchy newspapers.

At every level I try to know everything I'm supposed to know. And I try to know everything about everything else everybody else is doing.

. . . by Assemblyman Willie Brown, profiled in the Sacramento Union.

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Where the Sacramento elite meet to eat...

High noon in Sacramento, and you're on assignment in the Capitol. What to do for lunch?

Until recent years, Sacramento's surprisingly large number of restaurants within a few blocks of the gilded dome offered fare running the gastronomic gamut from A to B. But, like the redevelopment of the western approach to the Capitol and transformation of unlamented K Street into a shopping mall, the prospect of lunching pleasantly downtown is improving, too. While San Francisco need not yet fear for its culinary supremacy, it is today at least possible to vary one's diet in this onetime bastion of the blah – even if you do find yourself anchored to the downtown and without invitation or membership to a faintly decadent preserve like the Sutter Club (where women are deemed to exist only after 5 p.m).

The following listing of downtown eating places is, therefore, less a guide to good dining than an out-of-towner's survival kit for getting through a Sacramento day. If some of the establishments disappoint, at least you will have been forewarned, and remember this: You could certainly have done worse, and much more easily just a few years ago.

WHEELER-DEALER FAVORITES

1 **Posey's Cottage** (1100 O St.): Savvy bartenders quickly match a legislator's drink to a lobbyist's bill. Reasonably varied menu.

2 **Frank Fat's** (806 L St.): Perennial favorite of the pols offers much more room and better food than seems possible from outside.

3 **Ellis'** (10th and L Sts.): New place drew instant crowds probably due to location in a building full of lobbyists and government folk.

4 **George's** (11th and L Sts.): Successor to Blums offers three rooms and a brace of bars in which the decor varies more than the menu, which is good.

5 **Holly's** (1117 8th St.): A pleasant enough alternative to Frank Fat's with Chinese cuisine and discretion to match.

6 **Cosmopolitan Hotel** (13th and N Sts.): Continuous face-lifts haven't quite overcome location at "wrong" side of Capitol Park.

7 **Capitol Tamale** (1116 10th St.): Close location, cozy interior, crowded bar, Italian and Mexican food.

8 **The Broiler** (1013 J St.): Worth the walk, apparently, to its heavily political clientele.

A QUICK BITE

9 **Hotel Senator** (12th and L Sts.): Aging hotel atmosphere still provides discrete cover in three dining areas for doing business.

10 **Sam's Hof Brau** (815 L St.): Once unique sandwich-bar format is unchanging ricky-tick, but recently deigned to let women lunch upstairs in what had been a male preserve.

11 **Original Mac's** (8th and L Sts.): Hefty sandwiches in a plastic environment, but full value. Light beer on tap.

12 **Capitol Cafeteria** (6th floor of annex): A convenient pit stop similar to those scattered along the government circuit.

13 **Weinstock's** (12th and K): Alphabet being what it is, lunch is next to lingerie in department store basement.

14 **Gulliver's Galley** (8th and L Sts.): Sandwiches and beer in a setting that recalls neither Gulliver nor a galley.

BACK TO NATURE

15 **Eighth Street Station** (1212 8th St.): Counter-culture counter dispenses sandwiches, soup and beer, slowly at times.

16 **Potted Cedar Room** (908 J St.): Smorgy place tried to go topless, then bottomless, now seeks solvency through wholesome food and drink.

OFFBEAT

17 **Athens Restaurant** (1206 8th St.): No resemblance to lunch counter that preceded it; honest effort and Greek-ish food and wine.

18 **Zorba's** (1220 K St.): Snacks on the mall. Meals inside are generally mideastern in flavor.

19 **Underground Shingle** (1225 K St.): Zorba's former digs across and under the mall where you dunk beef and shrimp in hot fat, bread in melted cheese, and wonder where you are.

20 **Soups Etc.** by Erika (1204 J St.): Russian-born proprietor features her own soups, sandwiches on mideastern bread resembling a catcher's mitt; wine in carafe.

21 **Public Market Coffee House** (13th and J): Change in management hasn't helped this half-century-old lunch spot with its own recipes, but it's still reputed for its soups and pastry, and remains popular with state workers and others refueling.

LUNCH STOPS

22 **El Jardin** (1103 15th St.): Latin-flavored food and drink, in what recently was a showroom for a "luxury" car but smells more like the service department; has room to grow.

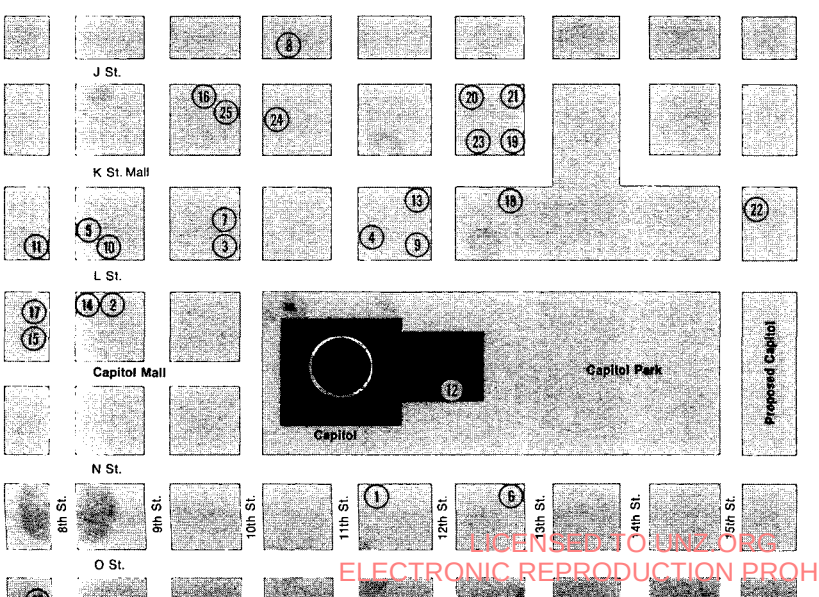
23 **Robert's Fish Grotto and Grill** (1211 K St.): Longtime Sacramento restaurant exudes the benign aura of an earlier day.

24 **Recess Room** (1017 10th St.): A salad bar augments a light-lunch menu in this otherwise unremarkable watering spot.

25 **Tan Tan** (1010 10th St.): Another bar that features lunch, with a slightly less-recessed menu than above.

26 **Tony's** (1530 10th St.): Quick lunch Mexican style with ample chipos and a crowd at high noon, but Tony's reportedly gone to El Jardin.

— Compiled by Harry Covair



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The two-year session: Success or failure?

California voters were told that if they approved Proposition 4 on the November 1972 ballot the Legislature would become more efficient, more responsive to the public and more economical to the taxpayers. The electorate responded by enacting by a margin of 1.6 million votes the proposal establishing a two-year legislative system. The new system went into effect last January, and following its first year of operation there were numerous claims in the state's press that Proposition 4 was a flop, primarily because it failed to end the traditional session-ending flurry of activity. Is that a fair appraisal? Can a two-year program be evaluated after the first year? Were there no benefits from passage of the proposition?

The proponents of Proposition 4 readily concede that the 1973 Legislature didn't pan out exactly as planned. Assembly Speaker Bob Moretti, who led the fight for the measure and claims it has improved the legislative process, has already asked consultants to find ways to minimize the end-of-session crunch and other obstacles to efficiency. Moretti and others involved in the reform movement are quick to point out, however, that they never promised that the reform would eliminate the legislative pile-up prior to adjournment, a situation that triggered much adverse commentary. They recognized the tendency to put off difficult decisions until the last moment and say that they are prepared to take steps to prevent a repetition of September's finale.

A related problem is that, under the reform, Governor Reagan had only 12 days to decide whether to veto or sign bills after the September 14th recess. Previously, he had had 30 days. Protesting that he didn't have enough time to study all the bills sent to him, Reagan urged that the 30-day period be restored. (He will get 30 days at the end of the 1974 session, but the 12-day veto period will be in effect again in 1975.) Sponsors of the proposition estimated that fewer bills would be enacted in the first year and that the heavy load would come in the second year. That is why the Governor was given only 12 days at the end of the first and 30 days at the end of the second year.

Reducing the logjam

Senate President pro Tempore James R. Mills has suggested solving these two problems by prohibiting committees from meeting during the last two weeks of a session. In theory, this would move bills to the floor earlier and thus ease the logjam. During the final day of the 1973 Legislature, there were 327 roll calls in the Senate and 368 in the Assembly — a number that hardly allows for deliberation under any definition. Another suggestion is coming to Moretti from his technical consultants: Place a time limit on each bill, so that it will die unless enacted within a specific period. The deadline is designed to space out the committee workload so that hundreds of measures would not backlog for consideration at the same time. Under this plan, simple bills would move rapidly, while more complex proposals might be carried over to the second year.

Three other criticisms attributed to Proposition 4 have little to do with its provisions: misuse of the consent calendar (under which bills are passed without debate), ghost voting (one Assembly member registering an aye or no vote for another), and substitute roll calls (passing a bill by use of a previous roll call). These abuses predate Proposition 4 and simply have not been eliminated.

Despite these problems, Moretti and Mills claim that the 1973 session was one of the smoothest run and most productive in recent years. Whether it was productive depends on one's point of view, but at least the Assembly did run efficiently. Moretti brought members to the chamber on Mondays and Thursdays for debate and allowed committees to concentrate on hearings Tuesdays and Wednesdays. The Senate rejected proposals for this system, feeling that its members should appear on the floor every day even if it did waste time that might be spent more profitably in committee. Daily activity on the Senate floor, the leadership felt, would avoid possible public criticism and guarantee the appearance of most members for work in the Capitol.

Some gains

If it had no effect on the crush of bills or such abuses

What Proposition 4 did

- Starting in 1975, the Legislature will convene in December instead of in January.
- Bills remain alive for two years instead of one but are dead unless they clear the house they originated in before January 31st of the second year.
- The five-day special session to consider the Governor's vetoes was abolished.
- The Legislature can now reconvene itself at any time. (Previously, this was the Governor's exclusive province.)
- Appropriation bills now can be approved by both houses — but not sent to the Governor — prior to approval of the annual budget. (A letter of consent from the Governor was previously required.) This change was designed to eliminate a backlog of bills in the fiscal committees.

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as ghost voting, what were the gains from Proposition 4? According to the proponents, there are these benefits:

- Starting in 1975, the two-year Legislature will start meeting a month earlier, in December, making January a productive instead of an organization month.
- January 1974 will be a more productive month than Januarys past because all bills introduced in 1973 and still in their houses of origin must move to the second house during that month or die. (It remains to be seen whether the bills that die in January will be reintroduced in February, thus subverting a major purpose of the reform measure.) Previously, January was largely a wasted month because committees couldn't consider most bills until 30 days after their introduction.
- The Legislature showed good faith this year by establishing a calendar and sticking to it. (In previous years, there was no telling when lawmakers would adjourn or even take a summer vacation.)
- The former five-day special session for considering gubernatorial vetoes — a largely useless process — was eliminated.
- Legislative committees now have enough time to conduct serious interim studies. (It has been so many years since this was possible that few legislative committee staff members have been around long enough to know how to conduct interim studies.)

Ego-massage problem

Robert T. Monagan, who launched the drive for legislative reform during his two terms as Assembly Speaker in 1969 and 1970, envisioned efficiencies and economies through employment of the committee-bill system long used by Congress. But California lawmakers are reluctant to give up the publicity, prestige and whatever ego-massage they gain by having their own names attached to bills. Consequently, many more measures than necessary are introduced and processed instead of having a committee develop a single omnibus bill on a given subject. Those committee bills that have been introduced are generally considered to be the private province of the committee's chairman.

While the broader use of committee bills might produce some economies, it would be a negligible factor in overall legislative expense. The cost of running the Legislature has been increasing rapidly over the last decade, and Proposition 4 won't stop the spiral, which reached $46 million in 1973. During the campaign for Proposition 4, the only savings promised voters were those resulting from keeping bills alive for two years, eliminating the cost of reprinting bills introduced a second time.

Heavy load of bills

Some opponents of the ballot measure predicted that little legislating would be done during the first year of the biennium. The tendency to procrastinate, this view held, would produce a massive crunch at the end of the second year. The procrastination did not materialize, however. The Legislature moved many more bills than had been anticipated, and the spread of the workload suggests that legislators were not thinking in terms of a two-year life for most bills; they worked hard to get them enacted this year. Prior to passage of Proposition 4, there were usually far more bills passed during the odd-numbered years than in the even-numbered election years. If the number of bills introduced next year approaches the 4,500 of this year, the two-year concept will not yet have taken hold.

The key to making Proposition 4 work lies in the leadership in both houses. The Speaker and the Senate Rules Committee must revise the work schedule to avoid a repetition of 1973's debates and prevent an end-of-session logjam such as last September's. Almost all the problems that arose in 1973 can be resolved through a change in the rules. And the one that can't—the 12-day gubernatorial veto period — may disappear entirely if hundreds of bills don't land on the Governor's desk in one pile at the end of the session. Proposition 4 gave leaders the power to regulate work schedules and thus removed excuses for failing to make improvements. If the leadership fails, it won't necessarily mean that the proposition flopped but perhaps that the leaders didn't take full advantage of the tools they were given.

Crucial stage approaches

A fair judge would not send the jury on Proposition 4 to the deliberation room yet to render a decision on the measure's success or failure. Only half the evidence —and perhaps the most damaging — has been placed on record. The defense will have its chance in 1974 to present testimony showing that the Legislature is innocent of the breach-of-contract charges filed by a part of the state's press.

A comparison of recent legislative sessions

	SENATE			ASSEMBLY			OUTCOME		
Year	Days in session	Bills Introduced	All measures introduced*	Days in session	Bills Introduced	All measures introduced*	Bills to Governor	Date adjourned	Total per diem paid**
1973	132	1473	1705	122	2676	3073	1387	9/14/73	$ 731,000
1972	148	1511	1814	139	2395	2821	1609	1/5/73	797,000
1971 (regular)	199	1638	2140	193	3100	3582	1975	1/3/72	1,064,000
1971 (special)	36	12	23	29	21	32	6	3/1/72	18,000
1970	150	1422	2002	141	2538	3169	1705	9/23/70	654,000

* Includes resolutions and constitutional amendments
**$25 a day in 1970 and $30 a day thereafter.
Source: California Research

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State's return to the job-hunting business

By RONALD BLUBAUGH

A five-year odyssey that nearly wrecked the third largest department in California state government is stumbling to a conclusion. In dozens of regional offices throughout the state, workmen are shaving the name "Department of Human Resources Development" from the glass doors leading into state employment offices. In its place, they will paint "Employment Development Department." It is more than a name change. That new title carries the state's recognition that a good idea of the 1960's has gone sour and nearly spoiled decades of hard work. And, as state job-placement counselors are still learning, the destruction was easier than is the repair.

What happened to HRD can be traced through a series of reorganizations and two major reversals of philosophy at both the federal and state levels. The result was a dramatic fall in placements from a 1966 peak of 665,148 in non-agricultural jobs to 282,581 in 1971 [see chart]. Morale in the 13,000-employee department dived along with the placements. The Legislature began taking regular pot-shots at the department, with the U.S. Department of Labor joining the attack earlier this year by warning that federal funds would be drastically cut if matters didn't improve. Since the department gets 80 percent of its $219 million budget from the feds, the threat couldn't be taken lightly.

Role changes

HRD's predecessors were primarily public-employment services. The idea was to open a place where an unemployed person could go to find out about jobs available from companies needing workers — a clearing house for jobs. Federally funded from the start, the state job agency became highly proficient during the years after World War II and the Korean War.

"We were working pretty well but the system was beginning to show some cracks during the last years of the Brown administration," said one long-time department employee. "There was a growing demand for services by youth and minority groups. We knew we had to change because we were not in the same economic situation. We had to realize we were a total manpower agency and must serve the needs of these others."

The change from job placement to job training was initiated by the federal government in 1964 through enactment of the Manpower Development and Training Act. Passed in the first wave of the "War on Poverty" legislation, the manpower act directed states to begin serving the hardcore unemployed and people displaced by automation and other technological advances. It was a new concept for what was then known as the state Department of Employment. Aimed mainly at serving the needs of qualified applicants, the department had been doing little for those kept unemployed by lack of a marketable skill.

Reagan steps in

While the department was taking its first tentative steps in this new direction, Ronald Reagan swept into the governorship with what he considered to be a mandate to "cut, squeeze and trim" state-government spending. Skeptical toward the huge bureaucratic agencies in Sacramento, Reagan talked a lot about the "deadwood" in state government. The second director he sent into the Department of Employment, Gilbert Sheffield, arrived with obvious orders to prune the bureaucrats. A number of career civil servants were encouraged to retire; others were reassigned. The organizational structure was completely redesigned, changed again, and then changed some more. "Organizational charts one right after the other," recalled one employee. "Before one organization structure could get settled into place, we were into a new one." It is a complaint still heard in the department.

In the midst of all the shuffling and reassigning, the Legislature and the Governor acceded to federal pressure and took the second step in the program to help the hardcore unemployed: In 1968, the Legislature created the Department of Human Resources Development. Gone was the Department of Employment and with it the emphasis on placements.

It was not just a name change; it was a total redirection. No longer would the department concentrate

NON-AGRICULTURAL JOB PLACEMENTS

1965	657,181
1966	665,148
1967	625,041
1968	552,087
1969	481,673
1970	395,297
1971	282,581
1972	318,205
1973	408,130

Source: HRD

The author covers state government for a Sacramento daily newspaper.

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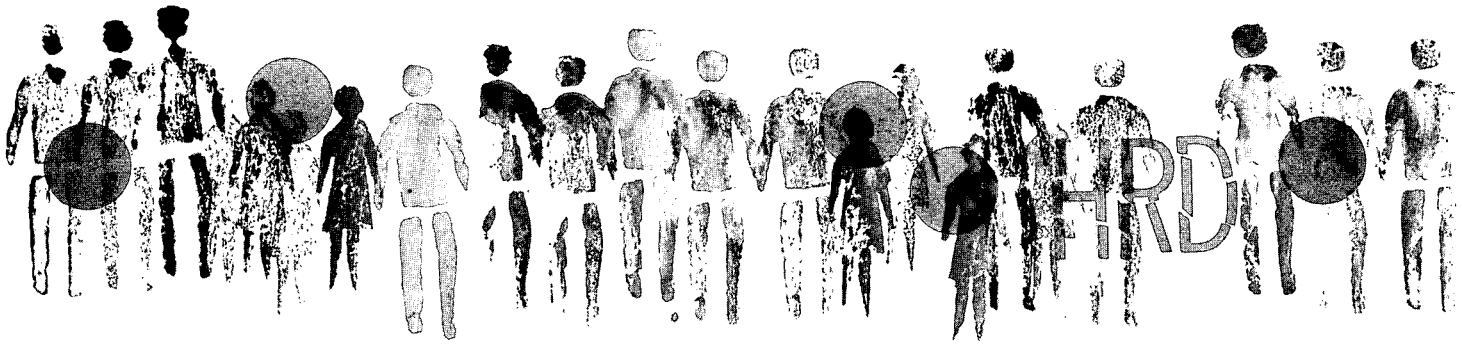

on matching jobs with unemployed workers. It would embark on the goal of training the chronically unemployed, the unskilled, those on welfare. They were the high-risk employees that most corporations shun. As the state began referring such persons to private enterprise, the companies began to shun the state, too. Job placements dropped.

Ironically, at this time, when the state and federal governments began vigorous efforts to find work for the disadvantaged, thousands of California aerospace workers lost their jobs. This was a clientele particularly suited to the traditional programs of the old Department of Employment, but those efforts had been largely cast aside in the campaign for the unskilled. "We were telling qualified people to go and find a job on their own," explained William Lawson, an HRD information officer.

Brian takes over

Two things led to a change: the fund-cut threat from the federal government and Reagan's appointment of Earl Brian as secretary of the Health and Welfare Agency. The switch in federal policy to improve job placement followed the switch in the White House from the Democrats to the Republicans. Equally important was the appointment of Brian to head the agency in charge of HRD. The young physician, who was 30 at the time of his naming a year ago, brought a reputation as the man who reformed the state's costly Medi-Cal program, which provides medical care for welfare recipients. Brian began scanning his new domain to see what else needed reforming, and quickly saw HRD as a likely target.

Brian had one of his top aides from Medi-Cal investigate HRD. The aide, Gene Lynch, concluded that the department was badly organized:

> We had three separte operation divisions. Both headquarters and field offices were operated independently. In Chico, for example, we had four offices at various locations, each with its own manager and own, separate chain of authority to Sacramento. There was an unemployment insurance office, a WIN office [one of the manpower programs], an employment service office, and a disability insurance office.

What Lynch proposed was a return to an organizational structure resembling the department under Pat Brown's administration. Unemployment-insurance and job-placement operations would be combined and each community would have a single supervisor.

Brian then commissioned Lynch to handle the reorganization after removing the former director, Sigurd I. Hansen. In Hansen's place, Brian named another of his former Medi-Cal aides, onetime information officer Dwight Geduldig.

In the first nine months after Geduldig assumed command, several important indicators showed a change for the better. Job placements are way up and accelerating. The cost of overhead is down. And the U.S. Department of Labor is very pleased (an ironic fact since the threatened massive cutback in funds came anyway).

In the 1973 fiscal year, non-agricultural job placements increased to a total of 408,130 compared to 318,-205 in 1972. During the first six months of the current year, placements are up 27.5 percent. Department officials cheer this improvement because it indicates that they may be overcoming HRD-bred employer reluctance to deal with them. To further break down that hesitation, Geduldig and Lynch have been visiting employers to tell them about the new direction and invite them back to the state. Still, both Geduldig and Lynch feel that they have a way to go yet before they recapture the support the department once had enjoyed in ture the support the department once had enjoyed among private employers.

Federal officials are happy about the way things are going. "They are making good strides in their placement efforts," says Associate Regional U.S. Manpower Administrator Phil Lawlor. "We were quite pleased when they came within a hair's breadth of doing what they said they would do last year. They are continuing to show improvements." The U.S. Department of Labor had asked the state to make 430,000 non-agricultural placements, a goal it missed by only 22,000. The placement total is a significant jump per employee of the department's Employment Service Section. Last year, there were 62 placements per employee; this year, the rate is 118 per employee.

Minority-hiring effort continues

While the state has dropped the HRD name — through the passage of a bill last year — the concept is not totally gone. Geduldig is thankful for that. When he assumed command, he promised not to let the department stop trying to find jobs for minorities. Initial results show the emphasis on minority hiring was not lost in the switchover. Minority placements this year are up 33.4 percent from last year and placements of poor persons are up 41.6 percent.

Although use of placements is valuable in comparing the operation of the department from one year to the next, employees warn that such statistics can be extremely deceptive. They don't really indicate how many people got longterm jobs. (Under both federal and state definitions, a "placement" is a referral to a

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job lasting at least three days.) "What would you do, if you were working in a local HRD office, being aware of the restrictions and under the gun to produce more placements?" asks one employee. "You would place a guy on a three-day odd job, like delivering telephone books, unloading trucks, or helping Ms. Socialite tidy her home for Christmas. And after three days, the same guy would be reporting to you again, for another 'placement'." (Local HRD staff members call this practice the "numbers game", and some of them are highly critical of the state's return to it.)

Fear of recession

Local placement employees are under no illusions that the totals will continue to climb. For one thing, if the state heads into an energy shortage-inspired recession it will remove the help the economy has provided to the rising employment totals.

Geduldig shares the fear. "We have looming ahead of us the spectre of layoffs because of the energy crisis," he says. "The domino effects of cuts in gasoline supplies and fuels for industry and power plants are not hard to imagine. It will directly affect the auto industry and its subsidiaries, of course, and it's estimated that one in every six jobs is related to the automobile — its manufacture, maintenance and use."

At the very time it appears that a number of workers may soon be looking for jobs, the federal government has cut the budget of its Department of Labor and state job programs. The cut in California is not due to federal dissatisfaction, but to a general reduction in program. That doesn't lessen the impact, however. Federal assistance to the state's unemployment and job programs was cut $6.4 million. The federal government originally funded the state for 2,251 positions in field offices, then reduced that by 135; another 303 positions have been cut elsewhere in HRD. Additionally, the salary increase of approximately seven percent, which state employees received last July 1st, was not funded by the federal government; the department had to pay it by making cutbacks.

No one has been laid off yet because of a hiring freeze put into effect last year. But because of the freeze, the workload has increased as top management demands still higher placement levels. And there is no sign of relief from the federal government.

Low morale

With all the cutbacks, morale at HRD is probably lower now than ever. When one section gets cut it wonders why the reductions were not made elsewhere. "The (department) administration could help if it would make the cuts at the top," suggests one field employee. "They have secretaries for the secretaries, and more deputies than they need. They need more people on the line. This is like a war, and we have to have more fighters and fewer generals."

Geduldig admits that the headquarters staff is "too fat" in relation to the employees deployed in the field, but says that he is correcting the situation. Already, 91 positions at headquarters have been relocated in the field, Geduldig notes. But he doesn't expect relief in the foreseeable future. "Granted, there is a lot of griping about our severe budget problems, and there are many things out there a lot of them would like to see us doing," he says. "That is a legitimate gripe, but there is nothing we can do about it right now."

Update . . .

Reagan revamps state air board, which then votes to delay smog plan

Governor Reagan fired one member of the California Air Resources Board December 14th, abruptly accepted the resignation of another, picked up the retirement option extended months earlier by Chairman A. J. Haagen-Smit, and filled an existing vacancy on the five-member board. The action came within a week of the board's scheduled vote on whether to delay implementation of a program requiring installation of smog-control devices on cars built between 1966 and 1970. And it assured the board's vote in favor of the Governor's desire to delay its implementation, which was to be accomplished between January 1st and October 31st.

The Governor fired Gladys Meade of Redondo Beach the board's staunchest advocate of the smog-device program. He also accepted the resignation quietly submitted December 3rd by R. Robert Brattain of Pebble Beach, who had urged the board to act more forcefully. (Brattain said later that he had expected to finish out the year.) And Reagan chose former Republican Assemblyman Charles Conrad, 64, to replace Haagen-Smit; Roger L. Mosher, 43, a Republican lawyer from Palo Alto ,to replace Meade; Augustus H. Batchelder, 76, a retired Standard Oil executive, to replace Brattain; and David L. Kline, a 64-year-old Republican citrus-grower from Visalia, to fill the vacancy left last fall when Allen B. Lemmon of Sacramento quit. The fifth member is Harold Sullivan, former Highway Patrol commissioner. [see "Why state hasn't cleared the air," *CJ*, October 1973].

Jan. 15 runoff in special election

Republican Assemblyman Jerry Lewis December 18th fell less than one percentage point short of winning the special election — a record ninth of the year — for the San Bernardino County state Senate seat vacated by Republican William Coombs, who had accepted a federal appointment. Lewis will face the top Democrat, Supervisor Ruben Ayala, in a January 15th runoff election. The results: Lewis, 26,860 or 49.1%; Ayala, 20,512 or 37.5%; Democrat Ralph Carter, 6,280 or 11.5%, and Republican Robert Allenthorp, 1,014 or 1.9%.

1973 Special Election Box Score

District	Seat of	Primary Date	Results
22nd S.D.	Carrell (D) Died	Jan. 30th	Alan Robbins (D) won in runoff
38th S.D.	Burgener (R) Elected to Congress	March 6th	Assem. John Stull (R) won in primary
38th A.D.	Porter (D) Died	May 1st	Robert McLennan (R) won in runoff
67th A.D.	Townsend (D) Died	May 29th	Paul Bannai (R) won in runoff
80th A.D.	Stull (R) Elected to Senate	May 29th	William Craven (R) won in runoff
12th A.D.	Monagan (R) Federal appointment	June 12th	Doug Carter (R) won in runoff
14th A.D.	Crown (D) Died	Aug. 7th	William Lockyer (D) won in runoff
Statewide	Tax Initiative	Nov. 6th	Tax initiative defeated
20th S.D.	Coombs (R) Federal appointment	Dec. 18th	

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Final reapportionment plan – Or is it?

Supreme Court makes only minor changes in masters' proposal but gives half of senators unexpected break, raising possibility of federal court challenge

You live in Tehama County (or Shasta or Glenn or Colusa or Sutter or Yuba or Butte County, for that matter). Four years ago, you elected Republican Fred Marler Jr. of Redding as your state Senator. You are supposed to vote again for Senator in the 1974 elections. But now you won't get to vote for that office until 1976, which means that for two years you will not be represented in the Legislature's upper house by anyone you had a chance to vote for. You can expect some representation from Senator Randolph Collier, however. He was elected two years ago to serve a different constituency, but will probably seek reelection in your new Senate district in 1976.

This is an example of a situation created by the state Supreme Court's reapportionment decision announced November 28th. It allows all members of the Senate from odd-numbered districts to remain in office until their present four-year terms expire in 1976, even though their districts may have been significantly altered, as in the case of Collier's. For this reason, it cannot yet be stated with certainty that the court's action finally concludes the three-year saga of redistricting based on the 1970 census. Someone from Tehama or some other area similarly affected may well go to federal court to challenge the constitutionality of the state court ruling.

Ironically, Senator John L. Harmer of Glendale, Republican caucus chairman, has been one of those researching a possible appeal. The paradox is that Harmer personally — and the GOP generally — stands to profit from the ruling. Harmer can now run for Lieutenant Governor knowing that if he loses he will still have his Senate seat. And the decision favors Republicans because they hold 12 of the 20 odd-numbered holdover seats.

The outlook

Assuming that the Supreme Court reapportionment plan withstands any challenge, here is the outlook for next November's congressional and legislative balloting:

Congress. Democrats have a chance of slightly improving their 23-20 advantage in California's delegation.

Senate. Democrats have a better chance than the Republicans to control the house, but a 20-20 split is a real possibility.

Assembly. Democrats should retain tight control with a majority close to the current 49-31.

So far as Congress and the Assembly are concerned, the court merely upheld recommendations made by a three-judge panel of special masters [*CJ*, October 1973], and the outlook has not changed much since the court received the masters' report on August 31st. In the Senate, however, the situation has changed considerably, because the court elected not to put all 40 seats up for grabs in 1974, as most politicians had expected.

Apparently seeking to ease the pain to incumbent Senators, the court changed the numbers of four proposed Senate Districts (8 and 9 were switched, as were 27 and 30) to put Senators John Holmdahl and Nicholas Petris of Oakland and Robert Stevens of Los Angeles into logical rotation. The court's action is based on a state constitutional provision setting four-year terms for Senators and gives those from odd-numbered seats unexpected free rides. Because of this windfall, Harmer may be joined by several colleagues in seeking other offices. These include Democrats Mervyn Dymally and David Roberti, for Lieutenant Governor, and Republicans H. L. Richardson, for U.S. Senator, George Deukmejian, for Attorney General, and John Nejedly, for Congress.

Effect on Senators

This is what the court's plan does for the members of the Senate:

EVEN-NUMBERED DISTRICTS
(Terms expire in 1974)

Serious problems. Fred Marler has no place to run because the heart of his constituency was put into Collier's First District; he is expected to get a judgeship. Alan Short, D-Stockton, announced earlier this year that he intended to retire from the Senate; the court practically guaranteed that he will keep his word by putting his present Sixth District number in San Francisco and giving his area an odd number, leaving him no place to run for two years. Lawrence Walsh, D-Los Angeles County, has no logical district in which to run; he could tackle another Democratic incumbent, Ralph Dills, in the new 28th District, but he would have to start from scratch in largely unfamiliar territory.

Number changes. The following Senators have been given new even-numbered districts in the same general geographical areas: Peter H. Behr, R-Marin County; George Moscone, D-San Francisco; Holmdahl; Arlen Gregorio, D-San Mateo; Clark L. Bradley, R-San Jose; George Zenovich, D-Fresno; Walter Stiern, D-Bakersfield; Alan Robbins, D-Los Angeles County; Robert Lagomarsino, R-Ventura County; Anthony Beilenson, D-Beverly Hills; Alfred Song, D-Monterey Park; Ralph Dills, D-Los Angeles County; Dennis Carpenter, R-

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Orange County; Craig Biddle, R-Riverside, and the winner of the special election to succeed William Coombs, R-San Bernardino County.

Unaffected. Two San Diego Senators, Democrat James Mills and Republican John Stull, retain the same district numbers and substantially the same constituency.

ODD-NUMBERED DISTRICTS
(Terms expire in 1976)

Serious problems. James Q. Wedworth, D-Los Angeles County, has no logical district in which to run and may take his chances in the new 30th District in 1974, but the predominantly black constituency is expected to elect a black. Deukmejian will get a free ride for Lieutenant Governor, but if he loses he would have to seek reelection in 1976 in an Orange County area he has never represented.

Two-way options. Collier had announced his intention to move into the Second District along the north coast and run against Republican incumbent Peter Behr [*CJ*, December 1973, p. 417], but the court decision forced him to reconsider. Should he run against Behr and lose, he could still move back into his present district and seek reelection there in 1976. (The Legislative Counsel has prepared an opinion that this procedure is legal.) Milton Marks, R-San Francisco, can run for a four-year term in the new Sixth District; should he lose, he could remain in the Senate and run in the Fifth District in 1976.

Number changes. The following Senators will probably not be greatly affected by the decision because they will have logical districts with different numbers: Petris; Stevens; Albert Rodda, D-Sacramento; Clair Berryhill, R-Stanislaus County; Alfred Alquist, D-San Jose; Richardson; Lou Cusanovich, R-Van Nuys; Roberti, and Joseph M. Kennick, D-Long Beach.

Unaffected. These seven Senators will retain their present district numbers: Nejedly; Howard Way, R-Tulare County; Donald Grunsky, R-Santa Cruz County; Harmer; Dymally; James Whetmore, R-Orange County; and Jack Schrade, R-San Diego.

Residency waived

The court handed down its decision in a remarkably brief, 13-page order, followed by a reprint of the masters' recommendations. Aside from the Senate ruling, it contained one key element dealing with the residency requirement for election to the Legislature. The state Constitution requires that a candidate reside in a district for one full year before the election. This provision was, in effect, waived by the court. The justices, acting unanimously in a decision written by Chief Justice Donald Wright in *Legislature* v. *Reinecke*, said that this deadline was not realistic because the redistricting was being done less than a year before the election. A new deadline of January 28th was set for filing a declaration of intention to seek legislative office.

Chief Justice Wright indicated that the court had been reluctant to draw the lines but was faced with the failure of the lawmakers to pass a bill acceptable to Governor Reagan. "Since the Legislature has recessed for the year," he wrote, "It is now clear that the court has no alternative but to order its own reapportionment plans into effect." The court emphasized that it approved of the methods used by the masters to draw the lines, specifically ignoring the desires of incumbents. Other than correcting clerical erors, the only change made in the masters' recommendations was the switching of the two pairs of Senate numbers. Had these not been made, there would have been an especially complicated problem in Alameda County, with Petris and Holmdahl facing a set of difficult political options.

The court had been under pressure to make relatively minor alterations in the lines to accommodate various lawmakers. Zenovich and Way, for example, had agreed to exchange territory so that Zenovich would not have to move. But the justices refused these appeals. "Any attempts that we might now make to redraw specific district lines to achieve possibly more reasonable results," the court held, "would run the serious risk of creating undesirable side effects which we could not foresee and which adversely affected parties could not call to our attention in time for corrections to be made." In other words, the court did not want to open Pandora's box.

Dealing with Senate terms

While most of the arguments before the court dealt with how the lines were drawn and why they should be drawn otherwise, the biggest problem finally facing the justices was how long the Senate terms should last. The Constitution states: "The Senate has a membership of 40 Senators elected for four-year terms, 20 to begin every two years." Did the court have the right to make all 40 Senators run in 1974 counter to this provision? The court decided that the wording must apply unless it violates the equal-protection clause of the U.S. Constitution, and ruled that it did not.

As a result of this ruling, California will have three categories of citizens so far as Senate representation is concerned:

- The first group will be those who voted for a Senator in 1972 and will do so again in 1974. They will be represented by two Senators for two years following redistricting.
- The second group consists of those who voted for Senator in 1970 and will do so again in 1974. They will be represented by one Senator, regardless of reapportionment.
- The third group (and this includes the Tehama-Shasta area) selected a senator in 1970 but will not do so again until 1976. For two years, they will not be represented by any Senator in whose election they could participate.

How could the court justify such a stance? Are these inequities the "inevitable by-product" of redistricting, as the Chief Justice maintains? Wright justified the court's action in these terms:

> The resulting inequity among electors is limited to the two-year period following reapportionment and results in even less temporary disenfranchisement than the up-to-four-year disenfranchisement that may be imposed on residents who move into a senate district or who become of voting age shortly after an election has taken place . . . . We conclude that adherence to staggered terms following reapportionment involved no invidious incrimination.

This is the judgment that could eventually be tested before the Supreme Court. And, if so, it could once again send California back to the reapportionment quagmire.

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CONGRESSIONAL DELEGATION OUTLOOK BY DISTRICT

1 — No problem for incumbent Johnson (D). SAFE DEMOCRATIC.
2 — Incumbent Clausen (R) should repeat. SAFE REPUBLICAN.
3 — Breeze for incumbent Moss (D). SAFE DEMOCRATIC.
4 — No stopping incumbent Leggett (D). SAFE DEMOCRATIC.
5 — Incumbent Mailliard (R) expects to lose. LEANS DEMOCRATIC.

6 — Beautiful for incumbent Phil Burton (D). SAFE DEMOCRATIC.
7 — With incumbent Waldie (D) running for Governor, Senator Nejedly (R) could take seat. DOUBTFUL.
8 — Difficult for incumbent Dellums (D). LEANS DEMOCRATIC.
9 — Freshman Stark (D) should repeat. SAFE DEMOCRATIC.
10 — Incumbent Edwards (D) in a walk. SAFE DEMOCRATIC.

11 — Freshman Ryan (D) should hold seat. SAFE DEMOCRATIC.
12 — Incumbent McCloskey (R) is a perpetual target. LEANS REPUBLICAN.
13 — Looks good for incumbent Gubser (R). SAFE REPUBLICAN.
14 — Incumbent McFall (D) should repeat. SAFE DEMOCRATIC.
15 — No problem for incumbent Sisk (D). SAFE DEMOCRATIC.

16 — Trouble could develop for incumbent Talcott (R). LEANS REPUBLICAN.
17 — Incumbent Mathias (D) will be Democratic target. DOUBTFUL.
18 — Incumbent Ketchum (R) will run here. LEANS REPUBLICAN.
19 — Santa Barbara students will be after incumbent Teague (R). LEANS REPUBLICAN.
20 — No problem for incumbent Goldwater (R). SAFE REPUBLICAN.

21 — Good district for incumbent Corman (D). SAFE DEMOCRATIC.
22 — Cakewalk for incumbent Moorhead (R). SAFE REPUBLICAN.
23 — Incumbent Rees (D) should repeat. SAFE DEMOCRATIC.
24 — Assemblyman Waxman (D) should take this seat. SAFE DEMOCRATIC.
25 — Incumbent Roybal (D) may run for LA supervisor. SAFE DEMOCRATIC.

26 — Picnic for incumbent Rousellot (R). SAFE REPUBLICAN.
27 — Incumbent Bell (R) should repeat. SAFE REPUBLICAN.
28 — Breeze for incumbent Burke (D). SAFE DEMOCRATIC.
29 — No problem for incumbent Hawkins (D). SAFE DEMOCRATIC.
30 — Incumbents Holifield (D) and Danielson (D) are both in this district. Holifield, dean of delegation, may retire. SAFE DEMOCRATIC.

31 — Rough primary for incumbent Charles Wilson (D). SAFE DEMOCRATIC.
32 — Easy for incumbent Anderson (D). SAFE DEMOCRATIC.
33 — Incumbent Clawson (R) should win. SAFE REPUBLICAN.
34 — Cinch for incumbent Hosmer (R). SAFE REPUBLICAN.
35 — Incumbent Veysey (R) may run here, far from home. LEANS REPUBLICAN.

36 — Incumbent Brown (D) should repeat. LEANS DEMOCRATIC.
37 — No sweat for incumbent Pettis (R). SAFE REPUBLICAN.
38 — Incumbent Hanna (D) always seems to pull through. LEANS DEMOCRATIC.
39 — Incumbent Wiggins (R) should move here. SAFE REPUBLICAN.
40 — Incumbent Hinshaw (R) has state's best GOP district. SAFE REPUBLICAN.

41 — Assemblyman Bob Wilson (D) may challenge incumbent Bob Wilson (R). LEANS REPUBLICAN.
42 — Incumbent VanDeerlin (D) should repeat. SAFE DEMOCRATIC.
43 — Breeze for incumbent Burgener (R). SAFE REPUBLICAN.

SUMMARY: 19 safe Democratic, 4 leaning Democratic, 12 safe Republican, 6 leaning Republican, 2 doubtful.

1974 STATE SENATE OUTLOOK BY DISTRICT

(Holdovers from 1972 election: 12 Republicans, 8 Democrats)

2 — Incumbent Behr (R) aided by court decision but still not out of the woods. LEANS REPUBLICAN.
4 — Assemblyman Dunlap (D) favorite for this seat. LEANS DEMOCRATIC.
6 — Incumbent Moscone (D) can win easily if he pulls out of Governor race. SAFE DEMOCRATIC.

8 — Primary trouble possible for incumbent Holmdahl (D). SAFE DEMOCRATIC.
10 — Assemblyman Arnett (R) getting ready to tackle incumbent Gregorio (D). DOUBTFUL.
12 — Incumbent Bradley (R) will be a prime target. LEANS REPUBLICAN.

14 — Easy for incumbent Zenovich (D). SAFE DEMOCRATIC.
16 — Incumbent Stiern (D) may be GOP target. LEANS DEMOCRATIC.
18 — Rougher district for incumbent Lagomarsino (R). SAFE REPUBLICAN.
20 — Freshman Robbins (D) looks like repeater. SAFE DEMOCRATIC.
22 — Slightly tougher for incumbent Beilenson (D). SAFE DEMOCRATIC.
24 — Chicano Assemblymen Alatorre and Garcia (both D) want this seat. SAFE DEMOCRATIC.

26 — Cinch for incumbent Song (D). SAFE DEMOCRATIC.
28 — Early favorite is incumbent Dills (D), but primary could be wild. SAFE DEMOCRATIC.
30 — Incumbent Wedworth (D) faces uphill fight against potential black opponent. SAFE DEMOCRATIC.

32 — Outlook depends on special election. DOUBTFUL.
34 — Made to order for incumbent Biddle (R), but he had a close call last time. LEANS REPUBLICAN.
36 — Incumbent Carpenter (R) will romp. SAFE REPUBLICAN.

38 — No sweat for incumbent Stull (R). SAFE REPUBLICAN.
40 — Incumbent Mills (D) should win handily. SAFE DEMOCRATIC.

SUMMARY: 10 safe Democratic, 2 leaning Democratic, 3 safe Republican, 3 leaning Republican, 2 doubtful.

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ASSEMBLY OUTLOOK BY DISTRICT

1 — Incumbent Davis (D) should win again, but Assemblyman Ray Johnson could run against her. LEANS DEMOCRATIC.
2 — Should go to incumbent Keene (D). LEANS DEMOCRATIC.
3 — Easy for incumbent Chappie (R). SAFE REPUBLICAN.
4 — Incumbent Z'berg (D) may have serious primary problems. LEANS DEMOCRATIC.
5 — A primary struggle could develop for incumbent Powers (D). SAFE DEMOCRATIC.

6 — Should be easy for incumbent Greene (D). SAFE DEMOCRATIC.
7 — Freshman Carter (R) will run here. LEANS REPUBLICAN.
8 — Incumbent Dunlap (D) is running for Senate. LEANS DEMOCRATIC.
9 — Incumbent Bagley (R) is a candidate for Controller. LEANS REPUBLICAN.
10 — Incumbent Boatwright (D) should win handily. SAFE DEMOCRATIC.

11 — Easy for incumbent Knox (D). SAFE DEMOCRATIC.
12 — Incumbent Meade (D) should win. SAFE DEMOCRATIC.
13 — Cinch for incumbent Miller (D). SAFE DEMOCRATIC.
14 — Assemblywoman Fong (D) is expected to run for Secretary of State, leaving district to colleague Lockyer (D). SAFE DEMOCRATIC.
15 — Despite health problems, incumbent Bee (D) should win. SAFE DEMOCRATIC.

16 — Incumbent John Burton (D) may try to join brother Phil in Congress. SAFE DEMOCRATIC.
17 — Easy for incumbent Brown (D). SAFE DEMOCRATIC.
18 — No trouble for incumbent McCarthy (D). SAFE DEMOCRATIC.
19 — Incumbent Papan (D) should repeat. SAFE DEMOCRATIC.
20 — Incumbent Arnett (R) is also eyeing Senate. SAFE REPUBLICAN

21 — Probably an open district. LEANS DEMOCRATIC.
22 — Easy for incumbent Hayden (R). SAFE REPUBLICAN.
23 — Assemblyman Vasconcellos (D) could run here or in 21st. SAFE DEMOCRATIC.
24 — Open district. DOUBTFUL.
25 — Incumbent McAlister (D) should win reelection. SAFE DEMOCRATIC.

26 — Open district. LEANS DEMOCRATIC.
27 — Incumbent Thurman (D) has announced plans to run in this district SAFE DEMOCRATIC.
28 — No problem for incumbent Murphy (R). SAFE REPUBLICAN.
29 — Two GOP incumbents, Wood and Nimmo, may face off here. SAFE REPUBLICAN.
30 — Tough for a Republican, even incumbent Maddy. DOUBTFUL.

31 — Incumbent Mobley (R) should repeat. SAFE REPUBLICAN.
32 — Despite Democratic registration, incumbent Duffy (R) should win SAFE REPUBLICAN.
33 — Incumbent Gonzales (D) should repeat. LEANS DEMOCRATIC.
34 — Advantage to incumbent Russell (R). SAFE REPUBLICAN.
35 — Trouble for incumbent McGillivray (R). DOUBTFUL.

36 — Incumbent MacDonald (D) should survive. SAFE DEMOCRATIC.
37 — Easy for incumbent Cline (R). SAFE REPUBLICAN.
38 — Good district for incumbent Priolo (R). SAFE REPUBLICAN.
39 — Easier than ever for incumbent Keysor (D) SAFE DEMOCRATIC.
40 — Open district, but Democratic. SAFE DEMOCRATIC.

41 — Freshman Antonovich (R) will repeat. SAFE REPUBLICAN.
42 — Veteran Lanterman (R) in a cakewalk. SAFE REPUBLICAN.
43 — Little trouble for freshman Berman (D). SAFE DEMOCRATIC.
44 — Incumbent Sieroty (D) can run here or in 45th. SAFE DEMOCRATIC.
45 — Incumbent Waxman (D) is running for Congress. SAFE DEMOCRATIC.

46 — No sweat for incumbent Warren (D). SAFE DEMOCRATIC.
47 — Incumbent Bill Greene (D) needs only to win the primary. SAFE DEMOCRATIC.
48 — A cinch for incumbent Ralph (D). SAFE DEMOCRATIC.
49 — Easy for incumbent Dixon (D). SAFE DEMOCRATIC.
50 — Incumbent Holoman (D) may run for Senate. SAFE DEMOCRATIC.

51 — GOP leader Beverly in a breeze. SAFE REPUBLICAN.
52 — Another term for veteran Thomas (D). SAFE DEMOCRATIC.
53 — Rough sledding for freshman Bannai (R). DOUBTFUL.
54 — Open seat. SAFE DEMOCRATIC.
55 — Chicano district. SAFE DEMOCRATIC.

56 — Another Chicano stronghold. SAFE DEMOCRATIC.
57 — No problem for incumbent Cullen (D). SAFE DEMOCRATIC.
58 — Freshman Bond (R) should repeat. SAFE REPUBLICAN.
59 — Incumbent Fenton (D) with ease. SAFE DEMOCRATIC.
60 — Possible primary battle between incumbents Harvey Johnson and Montoya (both D). SAFE DEMOCRATIC.

61 — Incumbent Collier (R) may have primary fight. SAFE REPUBLICAN.
62 — No problem for incumbent Lancaster (R). SAFE REPUBLICAN.
63 — Incumbents Gonsalves (D) and McLennan (R) may go head to head. LEANS DEMOCRATIC.
64 — Open GOP district. SAFE REPUBLICAN.
65 — Wide open. DOUBTFUL.

66 — Incumbent Quimby (D) will have primary fight. SAFE DEMOCRATIC.
67 — Outlook depends on special Senate election. SAFE REPUBLICAN.
68 — About what incumbent Ingalls (D) wanted. LEANS DEMOCRATIC.
69 — Solid for incumbent Briggs (R). SAFE REPUBLICAN.
70 — Incumbent Wakefield (R) may run here. SAFE REPUBLICAN.

71 — Incumbent Cory (D) is talking about running for Controller. DOUBTFUL.
72 — Open GOP seat. SAFE REPUBLICAN.
73 — No problem for incumbent Burke (R). SAFE REPUBLICAN.
74 — Terrific district for incumbent Badham (R). SAFE REPUBLICAN.
75 — Better for incumbent Seeley (R). SAFE REPUBLICAN.

76 — Easy for freshman Craven (R). SAFE REPUBLICAN.
77 — Incumbent Wilson is only Democrat who can win, but he is chasing bigger game. DOUBTFUL.
78 — Incumbent Kapiloff (D) in struggle. DOUBTFUL.
79 — Easy for incumbent Chacon (D). SAFE DEMOCRATIC.
80 — Incumbent Deddeh (D) runs like gangbusters. SAFE DEMOCRATIC.

SUMMARY: 36 safe Democratic, 9 leaning Democratic, 25 safe Republican, 2 leaning Republican, 8 doubtful.

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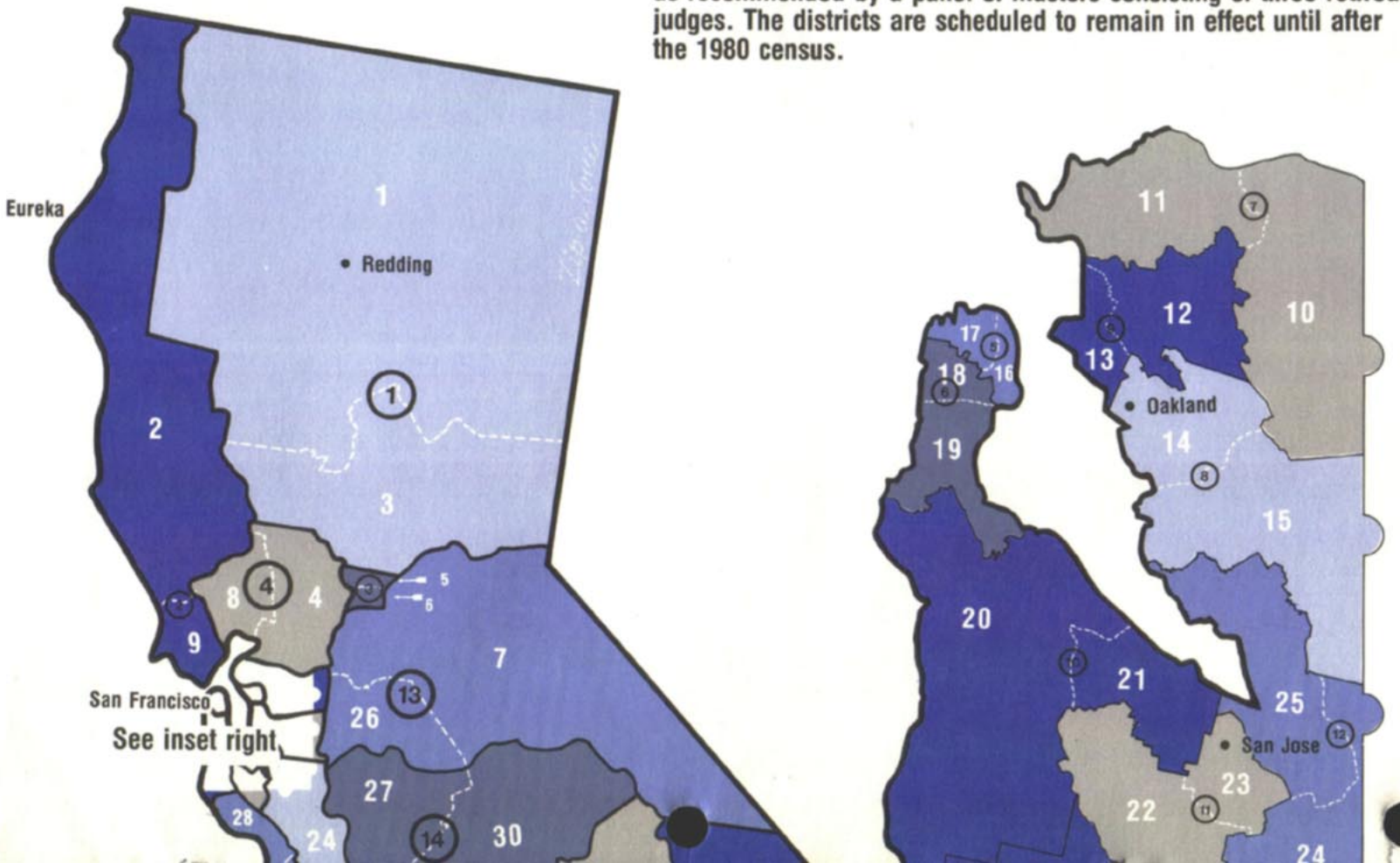
New legislative districts

These maps show the boundaries of the new state Senate and Assembly districts, effective with this year's elections. Each Senate district is divided into two Assembly districts. The lines were adopted by the state Supreme Court, with minor alterations, as recommended by a panel of masters consisting of three retired judges. The districts are scheduled to remain in effect until after the 1980 census.



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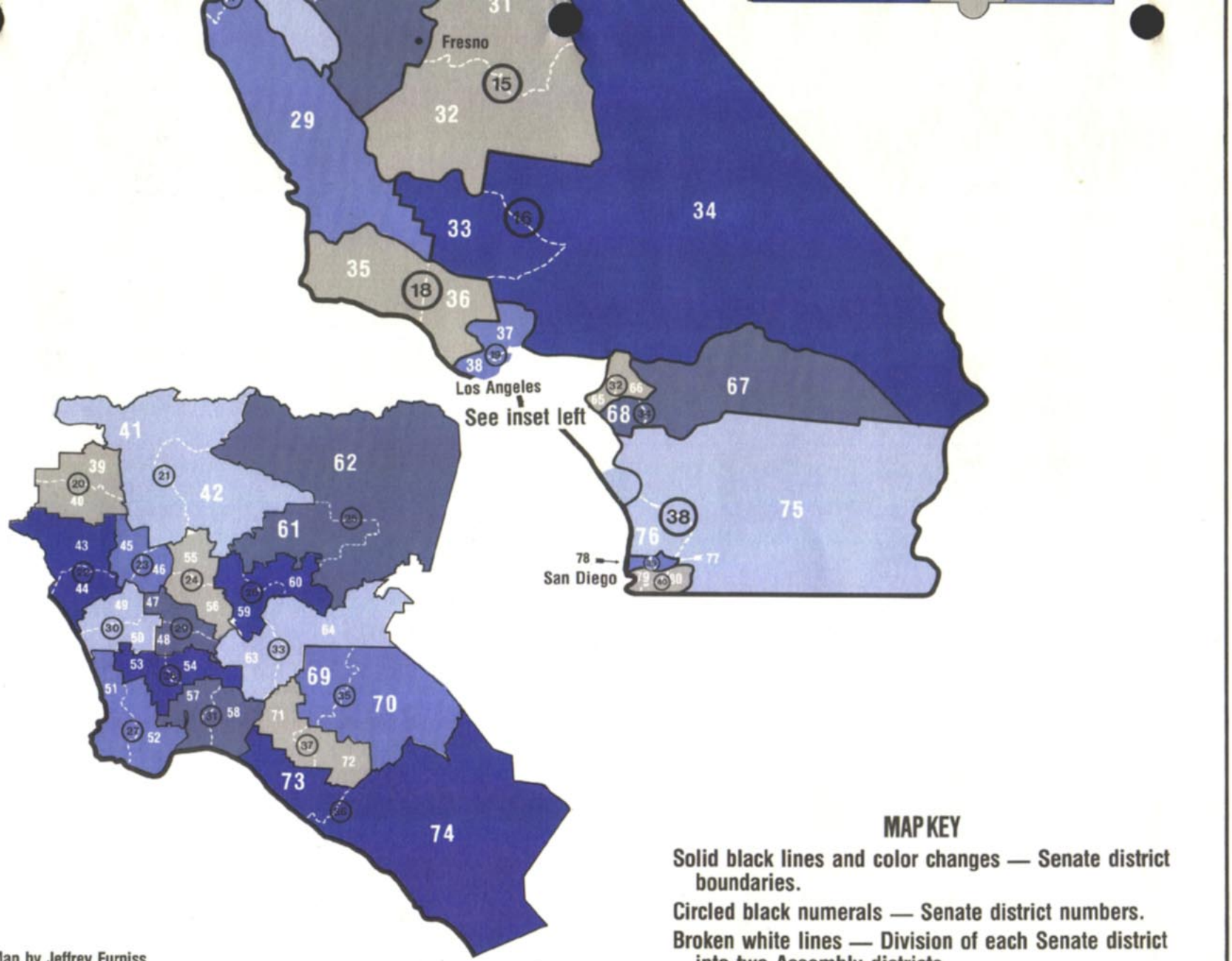

Map by Jeffrey Furniss

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MAP KEY

Solid black lines and color changes — Senate district boundaries.

Circled black numerals — Senate district numbers.

Broken white lines — Division of each Senate district into two Assembly districts.

White numerals — Assembly district numbers.

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Mayor Bradley's quest for 'leadership'

By WARREN OLNEY

"Microphone, don't you know? Ah's de Mayah."

— Tom Bradley, wrestling with a jammed microphone at his inaugural reception. July 1, 1973

"Tom's conducted himself so as to alleviate the fears Sam Yorty built up. The police are still in uniform; the fire department still answers calls; the Communists haven't taken over the government."

— City Councilman Joel Wachs, December 1973

Tom Bradley's Amos-'n-Andy self parody may have sent shivers up the spines of a few bigots on inauguration day, but by that time he didn't care. Just a month before, he had carried virtually every section of the city — even the San Fernando Valley, that white suburban enclave where Sam Yorty had felt most protected, and where Yorty's warnings about "dangerous radicals" and "black militants" taking over City Hall had worked against Bradley four years before. This year, politicians as astute as former Assembly Speaker Jess Unruh were convinced that race would once again prevent Bradley from beating Yorty, should the two get into another runoff. Unruh even entered the primary himself, along with former police chief Tom Reddin and a lot of other candidates who felt Bradley couldn't win. But Bradley did win, and by so great a margin that he could indulge himself in that self-parody, an act that would have been rash before the election (and even in July it may have bothered some of Councilman Wachs' valley constituents).

Wachs' assessment suggests that just by not sending an army of crazies out to tear up suburban lawns, Bradley's done better than some people thought he would. And yet, six months into his administration, it's hard to find *anybody* who bad-mouths the Mayor. If anything, he's broadened his support, to the point where Bill Roberts, a conservative professional who managed the first Reagan-for-Governor campaign and who started out with Unruh this year (they parted company after disagreements over policy and finances) now says, "If he keeps this up, he'll be one hell of a fine Mayor and be reelected easily."

The author is a Los Angeles television reporter specializing in government and politics.

Broad-based support

The more Bradley is seen, the less he inspires racial fears. He has none of the flashiness or defiance that had set teeth on edge in some white circles. In fact, he is dignified to the point of dullness. Recently, he told a group of high school news editors in Van Nuys, "Morality is as important in public service as it is in church." And he talks that way all the time. Beyond that, he does not consort conspicuously with other black politicians. "He's not that kind of groupie," a staff man says. Most of the other elected black officials supported Unruh in the primary, so that Bradley was elected without their help. His enormous majorities in the black precincts are thus less worrisome than they might have been to the 85 percent of Los Angeles that is Anglo or Mexican-American.

Bradley's base of support remains intact, though. Instead of indulging in post-election vindictiveness, as some had feared, Bradley has been "statesmanlike" toward blacks who supported Unruh. So says Assemblyman Frank Holoman, who remained neutral. There have been no reprisals, and when Bradley supported one of 29 candidates to fill his own vacant council seat, most of the other elected black officials fell into line. A split of the black vote, which might have lost the seat to popular Japanese television actor George Takei, was avoided. So, while Bradley isn't a "groupie", neither is he an outcast. "Tom hasn't lost his blackness," says Assemblyman Leon Ralph. But while Yorty was accused of being the tool of special interests, Bradley has avoided becoming the captive of the most obvious special interest of all, and Yorty's warnings about "black militants" and "dangerous radicals" have been forgotten.

The one thing that Bradley, Unruh, Reddin and Wachs (he was a candidate, too), along with the Irish soprano, the right-wing TV performer, and all the rest

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of the motley, Southern California crew that got into the primary agreed on was that in all Sam Yorty's 12 years in office, there had been no "leadership" in City Hall. Leadership was a word they all used, whatever different meanings they might have intended. Yorty had two responses. First, he would say that the others were making promises no mayor could ever fulfill, because the office is so limited by the City Charter (an answer he once was denounced for by a U.S. Senate committee investigating the Watts riot). If there were problems, they were the City Council's fault; the Mayor said he had no authority to solve them. His second response, often uttered in the same breath, was that there were no problems, anyway. "Los Angeles," Yorty would say, "is the best-governed city in the country, and everybody knows it."

Charter limits

Yorty was right about the charter. It says the City Council is Los Angeles' "governing body", and all it provides for the Mayor to do is draw up the budget and appoint commissioners, few of whom are even paid. The commissioners set policy for the 28 city departments, but the departments report to the council as much as to the Mayor.

"The best-governed city in the country," however, does have some problems. The air is so polluted here that every native over the age of 12 is said to have emphysema to some degree. The automobile is said to be the villain, and yet 22 percent of all land in the city has been given over to it, most strikingly in the central downtown business district, where 70 percent of the land is covered with highways, streets and parking lots. Supposedly, lung disease and pavement are the price of getting to work — but not for everybody; fully 40 percent of the population is too young, too old, too poor or too handicapped to have access to a car. And if 2.5 million people have fouled the nest so far, Los Angeles is zoned to accommodate 7.5 million more — hardly evidence of government planning for a less-congested future.

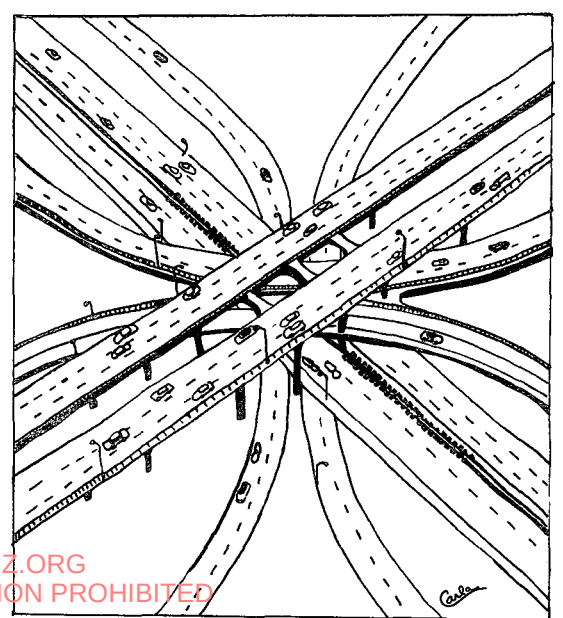
If such problems exist, a mayor can only deny them or blame them on the City Council for just so long. Despite the limited powers given his office by the charter, he is still the most conspicuous politician in town, and sooner or later dissatisfaction will be focused on him. For Yorty, the limit was 12 years. During this year's campaign, what Bradley came to mean by "leadership" was the willingness of a mayor to extend his influence beyond what the charter specifies, and it is for his "leadership" since inauguration day that Bradley is now winning praise.

His first move was to choose what he called "a broadly based staff". He made a point of counting up the representatives of each ethnic group. His two top aides, the deputy mayors, are a Jew and a Mexican-American. Masamori Kojima, one of a dozen or so in the second echelon melting pot, was not only allowed to campaign for Takei as Bradley's council replacement, but used mayoral stationery to disseminate his views and contradict the Mayor's. Having charged that Yorty stacked his commissions with contributors and cronies, Bradley came up with an advisory committee on appointments. One fourth of its members had not supported him for election. Most of his 150-odd commissioners were recommended by the committee, and there has not been much grumbling about the results. Bradley claims to have achieved "ethnic, economic, cultural and geographic balance," which he says guarantees that he will be mayor of "all the people."

Then, Bradley told the commissioners to be independent. "I do not expect you to be rubber stamps for the Mayor," he said. Since then, the Fire Commission has balked at making budget cuts as large as Bradley requested, and the Parks and Recreation Commission embarrassed him by resolving that freeways should be cleared for bicycles on Sundays. Some ardent early supporters, notably some conservationists, complain that Bradley's administration is now so "broadly based" that they can't get in to see him anymore. But Bradley replies that he now must represent the entire city, and says the multitude of various interests in his administration prevent its capture by any single one.

Yet, "in the broadest sense," says Deputy Mayor Maurice Weiner, "everyone has access to Tom Bradley," and if there is one factor most often mentioned in Bradley's favor it is his effort to "open up" the office. This fulfills a campaign pledge. This does not just mean giving different groups their own places on his staff or his commissions. Bradley spends so much time talking to individual constituents that there have been, among the voices of praise, some complaints that he acts as if he's still campaigning. He has spent whole days in various sections of the city, touring facilities, talking to community groups, rapping with students. He has been very well received, even in the *barrios* of East Los Angeles, where hatred of blacks is said to be spreading dangerously.

But the big event of the "open administration" was the first "open house" at Bradley's City Hall office. Anybody who had a grievance was invited to come and tell it to the Mayor. To reporters as the day began, Bradley said, "One difference between cities which have had unrest and cities which haven't is whether people believed their government was available and responsive. They need to know somebody's listening." By the end of the day, a somewhat haggard Bradley had listened to at least 100 of his constituents, although many were diverted to his staff for lack of time. Ultimately, of course, they were all referred to staff, but Weiner contends that the Mayor wasn't wasting his time, even though he heard complaints about school conditions, over which he has no control, and sewers clogged with tree roots. "The Mayor got a look at how his office works," Weiner says. "He *had* to ask questions about how the various problems were being handled, which



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gave him a new perspective. He could change procedures if he didn't like them, and he did change some."

It's too soon to know how the visits are being followed up, if they are, but while Bradley may not have staved off another Watts riot, he did get a favorable editorial in the *Los Angeles Times*, and the open houses are now monthly events.

Opening up government

Another effort at "leadership" beyond the limits of the charter is the attempt to open Los Angeles' city government to itself. Remarkable as it may seem, Bradley is the first Mayor of Los Angeles to hold cabinet meetings with all his 28 department heads present or try to let each of them know what the others are doing. Partly because of the charter, partly because of growth too rapid to keep track of, and partly because of the kind of men who have been elected, no Mayor has ever imposed a coherent set of policies, or even a rational pattern, on the administration of Los Angeles. At least, that's the claim of Deputy Mayor Manuel Aragon, who has asked the new commissioners to draw up priority lists for their departments and submit them to the Mayor. The priorities will then be wed to broader objectives for the city as a whole — clean air, less traffic, cheaper housing — producing what Aragon thinks of as an "agenda for the city," to which each department can then contribute. By the year after next, he wants the "agenda" reflected in the budget of each department; then, as he puts it, "We'll be running the departments by citywide goals, rather than running the city by departmental goals." Such a quest for order may be characteristic of new administrations, but it is unfamiliar in Los Angeles.

Aragon also hopes to reform the procedures of some major city departments, most notably the Harbor Department, "our most glaring problem." The Yorty administration, often against the recommendations of outside consultants, built huge facilities at the harbor, some of which have never been used. (Directories in telephone booths at a $2 million passenger terminal still are dated 1963, just as they were on dedication day, which was also the last time the terminal was open.) Aragon says the Harbor Department needs checks and balances that those who decide to build will no longer be those responsible for cost-accounting. No mechanism exists to determine revenues from capital investments, he says, and Aragon thinks there should be one.

City Council's role

Redirection and reorganization will remain as visions, however, without the cooperation of the 15-member City Council, which is so much the "governing body" of Los Angeles that Bradley needs its approval to restructure his own office staff. The Mayor's standing with his former colleagues will be crucial to his ultimate success or failure, and one of them calls Bradley's improved relations with the council "his greatest coup".

During last spring's election while Bradley was campaigning as a man who "gets things done", this councilman called Bradley's 12-year legislative record "miserable". He accused the candidate of making proposals for their publicity value, and then failing to lobby them through, while at the same time taking credit for the accomplishments of others. (Jess Unruh made similar charges against Bradley in the primary

campaign.) But this same councilman now commends Mayor Bradley for his "excellent performance", saying, "He's compensated for his own personal shortcomings by getting good people, and maybe that's what leadership's all about."

Another council veteran had initial doubts about the Bradley staff. "They started out thinking the experienced people didn't know anything," he says, but "they're listening more now, and they've learned that they can't crowd all the power into the Mayor's office." Both men said they were pleased that Bradley's not "grabbing the limelight", which, considering all the attention he's received as "the most important black politician in the country", is a tribute to his tact.

Split on Proposition 1

Bradley was hit by heavy weather in the dispute over Proposition 1, Governor Reagan's tax-limitation initiative. The Mayor, in his first statewide involvement since his election, was against the measure, and appeared in television commercials to say so. But the council, amid a charge by Assembly Speaker Bob Moretti that the Governor offered a judgeship or two in return, voted to support Proposition 1. At the California League of Cities convention in San Francisco, Bradley was put in a squeeze when Los Angeles Councilman Arthur Snyder convinced the body to rescind its previous opposition to the initiative and adopt instead a position of neutrality. The Mayor avoided an open fight, though, with a neat bit of legerdemain that he's used in the past. Since he was representing the city, he said, he would go along with the council position, even though he felt differently himself. Deputy Mayor Weiner admits that such strategic fallbacks can be construed as weakness if they have to be taken repeatedly. "But it's okay," he says, "if the Mayor and the council don't disagree very often."

And so far they haven't. Bradley's long experience on the council means he knows its procedures. "We're all friends," says Wachs. "We talk freely. It's entirely different from the way it was with Yorty." (The former Mayor was openly hostile to the council and blamed it publicly for the city's troubles.) While three councilmen will oppose him on the principle, Bradley has four who support him regularly, and he should be able to muster enough fence-sitters to get what he wants from the full 15. Already, he has been granted $10 million of the $12 million he asked in cuts from the budget passed before he took office, and he has further impressed his opponents on Proposition 1 by asking all departments to submit next year's budget requests at 95 percent of

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this year's spending levels. In addition, says Wachs, "we're thinking of giving him powers to deal with the energy crisis that we never would have given Yorty."

Energy and 'leadership'

In fact, since the City Charter says nothing about energy crises, the present one provides a golden opportunity for Bradley to exercise "leadership". In mid-November, he learned that almost half the oil for next year contracted for by the Department of Water and Power (the largest municipally owned utility in the world) was to come from Arab countries. One staff member says it occurred to the Mayor that he might have to sign some highly unpopular ordinances to deal with the energy shortage, and lest subsequent events should come to be known as "Bradley's blackouts", he decided to warn his constituents. To do so, he asked for a half hour of television time, cancelled all previous appointments, and spent a whole week working on a speech. He talked to "experts" on oil and public health and even called Oregon's Governor Tom McCall, who had just turned off the electrical outdoor advertising in his state. McCall said things were serious enough to require officials to go beyond their legal authority, which told the Mayor he was on the right track. By the time he went on the air, President Nixon had addressed the nation on the same subject just a few hours before. Bradley looked as if he'd been up all night, and his delivery was listless, but here's what the *Los Angeles Times* had to say about the speech:

> In talking this week about the energy shortage, Bradley began by saying, "The news I have tonight is not good." The tone matched the occasion exactly. The news is not good, the shortage is serious and, as Bradley said, "the problem won't go away." But, with characteristic perspective, he added that, when the pinch "begins to be felt widely, we must not panic and adopt ill-conceived measures which will undo things we have tried to achieve for years. For instance, it is being said that air-quality laws should be suspended. I disagree."
>
> In urging people not to panic, Bradley was setting an example. One by one, in his measured way, he listed a series of voluntary conservation steps that government, business, industry and the individual citizen can take to reduce the "wasteful use" of energy before succumbing to hasty decisions on mandatory controls.

Whether both Bradley and the *Times* were being Pollyannas remains to be seen, but at least Bradley had moved out smartly to warn his constituents about the future. At the same time, he stressed maintenance of air-quality laws, and was one of the first officials to speak on the shortage who suggested controls on industrial as well as consumer use of power. (Some conservationists thought he'd been captured by an evil conspiracy when he advocated the burning of high-sulphur fuel to avoid rolling blackouts — although he says he only wants to burn it on smog-free days.) In general, the speech was well received as evidence of Bradley's willingness to wrestle with the tough issues.

Subsequently, at Bradley's urging, the council set up a committee on the crisis, made him head of it, and allowed him to appoint most of its members. Since the purpose of the committee is to draw up ordinances for mandatory energy control, its establishment in that manner has been taken as an unprecedented example of mayor-council cooperation.

Before the energy crisis, transportation had given the Mayor his best chance to extend the charter limits. Granted, he did back down on his most concrete and dramatic campaign promise: to break ground on a rapid-transit system within a year after election. The day after the votes were counted, he said he hoped he wouldn't be held to that. Since then, however, he has repeatedly traveled to Washington and Sacramento to lobby for transit money. (In doing so, he escapes invideous comparison to globe-trotting "Travelin' Sam", because Southern California voters don't think anyone goes to Washington or Sacramento unless he has to. There was some grumbling, however, when Bradley was in Puerto Rico during decision time on energy cutbacks, even though he went to be elected the first black president of the National League of Cities. Bradley cut short a post-convention vacation and hastened home.)

For a transportation conference, Bradley and U.S. Senator Alan Cranston called together the mayors of 30 or so neighboring cities — the first time such a meeting had ever been held. Bradley espoused carpooling and commuter-bus systems as interim steps he says are required until rapid-transit can be built.

By threatening to withhold his signature from a council-passed rate increase, Bradley also forced the Yellow Cab company to give up its monopoly on taxi business downtown, at the airports and in the other, most lucrative parts of town. It is hoped that competition from other firms will lead to needed improvements in service.

The Mayor was also highly visible during a wildcat strike by city bus drivers, who were being terrorized by youth gangs in the city's ghettos. Risking a charge of grandstanding, Bradley personally helped work out temporary and long-range solutions, and gained amnesty for the striking drivers.

State and federal relations

Los Angeles, claims Weiner, is now less neglected by state and federal agencies than it used to be. In Puerto Rico, Bradley held news conferences with no fewer than two Nixon cabinet officials, both of whom promised special attention to Los Angeles' problems. Back home, one of Bradley's aides proved to have valuable contacts within the federal bureaucracy, when Deputy Mayor Aragon accidently learned of a half-million-dollar OEO planning grant that was about to revert to the U.S. Treasury for lack of a qualified project. In just one hour, the Mayor's office put together a proposal and obtained the approval of two key councilmen. The application was then delivered to the regional office in San Francisco just in time to meet the deadline — and Los Angeles received the grant.

No mayor of Los Angeles has ever risen to higher office, although Yorty campaigned incessantly. Nevertheless, the city is important enough that, when Bradley was elected, he was immediately dubbed "the most important black elected official in the United States" by Democrats all over the country. He does not deny ambition, but replies to questions about the future: "If you just do the job you've got at one level, I think the next level takes care of itself." During the first six months of his administration, he has established the goals and defined the standards by which his first-level performance will eventually be judged.

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Not long ago, James A. Hayes of Long Beach was chairman of an Assembly committee and a possible future Speaker. His colleague, Pete Schabarum of Covina, was a key member of the Assembly Ways and Means Committee and a top legislative expert on air pollution. Representative Edward Roybal has a lock on a seat in Congress, which pays him more than $40,000 a year. Yet, Hayes and Schabarum have abandoned the Assembly in favor of seats on the Los Angeles County Board of Supervisors, and Roybal is thinking about following their lead.

What makes the job of Los Angeles County Supervisor so attractive? Is it, as some claim, the state's best elected post?

Why everyone wants to be supervisor

By REED MCCLURE

The names of the five members of the Los Angeles County Board of Supervisors are hardly, to use a somewhat shopworn phrase, household words. Los Angeles City Councilman Edmund D. Edelman, a prospective candidate, recently asked a respected pollster to find out how many people in the Third District knew their supervisor's name. The answer: 71 percent of those polled were unable to identify Ernest E. Debs, an incumbent since 1958, as their supervisor.

The poll astonished a lot of people active in government, but it shouldn't have. Most of the Third District is within the City of Los Angeles, after all, and what the city government does here tends to receive more publicity than what county government does. The city provides most of the visible day-to-day services in the district: police and fire protection, trash pickup, street-cleaning and tree-trimming. Most of the parks and libraries are run by the city, and the city's Department of Water and Power provides water and electricity.

County government, on the other hand, devotes the bulk of its budget to services the average citizen would rather avoid: welfare, health care in county hospitals and health clinics, maintenance of the judicial system. The average resident of the City of Los Angeles is unlikely to have a direct need for county services, therefore, unless he is poor, sick, or involved with the law. Moreover, it's the county that sends out property-tax bills, and the county assessor who informs property owners that their assessments are being increased. Finally, the county issues death certificates.

In short, the county doesn't offer the kind of services an elected official likes to talk about. A city councilman can brag about getting his constituents a park, library or fire station, but a supervisor is unlikely to tell an audience of elderly citizens that he is expediting issuance of death certificates.

And yet, there is a long line of prospective candidates for Debs' job next year, including Edelman, Los Angeles City Councilman John Ferraro and Representative Edward R. Roybal.

Roybal's announcement that he may run if the 69-year-old Debs decides to retire next year has startled many orthodox political thinkers. Normally, a politician wants to move "up" to a state or federal job.

Fusion of power

One reason for the job's popularity, personal considerations aside, is that a Los Angeles County Supervisor, according to Chairman Pete Schabarum, has the state's third best political job. Schabarum, a former Republican Assemblyman and onetime University of California football star, says the only better jobs are Governor and U.S. Senator — and the supervisor's job security is much better.

For one thing, the Board of Supervisors combines the executive and legislative branches of government. While this fusion of political power disturbs professional administrators and political scientists, the supervisors think it's just fine. Schabarum, who was appointed to his First District seat last year by Governor Reagan after the death of Frank G. Bonelli, says the fusion "gives a fellow a great opportunity to get his ideas translated into action." He said he decided not to seek reelection to the Assembly because "I was not getting productive use of my time — by my standards."

Supervisor James A. Hayes, a former Republican Assemblyman from Long Beach appointed to the board after the traffic death in August 1972 of Burton W. Chase, holds a similar view. "It's an action-type job," Hayes said. Baxter Ward, who won his seat in 1972, likes his job because supervisors can act quickly. "Things don't get bogged down in committee," Ward explained.

Good job security

Not that power is all. There are compelling perquisites too. Pay, working conditions and fringe benefits are good. County supervisors earn $37,615 a year. Their salaries are tied to those of superior court judges, who get automatic cost-of-living raises. In other counties, supervisors must vote themselves salary increases and subject themselves to the possible wrath of the voters every time they do so. Supervisors also have comfortable, paneled offices on the top floor of the Hall of Administration in the Los Angeles Civic Center. They have county cars and are entitled to drivers. They have a relatively free hand in hiring aides (and the staffs of individual supervisors have grown spectacularly in recent years).

The author has been the Los Angeles civic center reporter for the Santa Monica Evening Outlook *for the past eight years.*

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Pete Schabarum James Hayes

Moreover, the job-security record is excellent, at least in terms of elected officials. Until 1972, the last incumbent Los Angeles County Supervisor to lose an election was the late Roger Jessup. He was unseated in 1956 by Warren M. Dorn, who in turn was beaten last year by Ward, a former television newsman. Supervisors tend to become entrenched in office for several reasons. Since each district contains about 1,400,000 residents, campaigning becomes costly unless the challenger, as in Ward's case, is already known to much of the electorate.

Incumbents enjoy another advantage related to job security, one that should make them the envy of Assemblymen and state Senators forced to move to keep within district boundaries redrawn through reapportionment. Under the County Charter, supervisorial district lines cannot be redrawn in such a way to put an incumbent's residence in a different district.

One drawback may be political advancement. Supervisor Kenneth Hahn, who sought the Democratic nomination for U.S. Senator in 1970, finished third in the primary. Dorn was clobbered in 1966 when he ran against Ronald Reagan in the Republican gubernatorial primary. Historically, Los Angeles Supervisors have met little success in seeking a broader constituency.

Concrete accomplishments

County Supervisors sometimes sound like political weaklings by stressing that they don't have much influence in shaping the county's nearly $3 billion budget because most of the money goes for state or federal programs in such areas as public welfare, health care, jails and courts. Yet, even a brief tour of Los Angeles County indicates that supervisors are scarcely powerless.

The expansion of government services in the last decade made the supervisors prodigious builders — and government construction is a well-known political tool. Marina del Rey, for example, is home to more than 8,000 boats and as many apartment-dwellers, and its shops and restaurants attract tourists. The marina is a county project. The apartments, anchorages, restaurants and shops were built under county leases. Marina del Rey lessees have a direct, expensive stake in county government and support friendly supervisors who, in turn, have helped their tenants by advertising the marina nationally and contributing to the harbor's Chamber of Commerce.

Another asset for the Board of Supervisors is the Music Center, Los Angeles' culture capitol. The center, like the marina, is an example of partnership between government and influential private interests. The roster of Music Center sponsors and its operating companies reads like a who's who in Los Angeles. The supervisors, of course, are listed on the programs given Music Center patrons.

Another, more conventional county building of political importance is Martin-Luther King Jr. Hospital in the mostly black Watts-Willowbrook area. The hospital was built as a direct result of the rioting that erupted in the area in 1965. In its wake, former Governor Edmund G. Brown appointed a commission to investigate the underlying causes of the uprising. Among the commission's recommendations to improve social conditions and ease frustrations so as to avoid future violence was that the south-central area lacked adequate medical facilities. Supervisor Hahn, who represents Watts-Willowbrook, reacted to the report by launching a one-man campaign to build a county hospital there. Today, the hospital is a reality — and a distinct asset to Hahn, who is white, when he seeks reelection.

Marina del Rey, the Music Center and Martin Luther King Jr. Hospital are only a few manifestations of the power exercised by the Los Angeles County Supervisors. They also build storm drains, local courthouses and parks. They distribute gas-tax funds to the cities, and run a sort of soup kitchen for groups seeking federal revenue-sharing funds now held by the county treasurer. Finally, each supervisor is, in effect, mayor, city council and zoning czar for his district's unincorporated areas.

'A hard job'

Hahn said he decided to run for supervisor in 1952 after a board member (who represented another district) asked him, "How would you like to run for a job that pays twice as much and you only have to work one day a week?" Hahn then sat on the 15-member Los Angeles City Council, which meets five days a week. Supervisors normally meet on Tuesdays and twice a month on Thursdays.

Hahn also discovered that a supervisor, because of the size of the districts and the population of the county, "has to be regarded in political circles as a very important public figure." Each district, he notes, contains more people than each of 14 states. The fact that the county devotes most of its resources to the poor, the ill and people in trouble with the law can be "terribly frustrating," Hahn admits. But he finds "building health centers and helping the poor" to be "dynamic and rewarding".

Debs, who has yet to say whether he will seek another term, nevertheless does his best to discourage potential rivals. "No longer is it an easy job," he declared. "It's a hard job." He cited racial problems and the diverse interests of his Third District, which stretches from the mansions of Bel-Air on the west to the *barrios* of East Los Angeles. I don't think [prospective candidates] realize the extent of the job and the work a supervisor has to do to maintain himself in office. I haven't had a night home in two weeks."

And yet there is no lack of applicants for the job.

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Reagan task-force surprise: special district is the most efficient form of local government

By Ed Salzman

Governor Ronald Reagan last April issued the following statement in forming a highly publicized Task Force on Local Government:

> Today, California has some 5,800 units of government below the state level, including 58 counties, 407 incorporated cities, more than 1,100 school districts and almost 4,200 special districts . . . . The average citizen is not even aware of all these different units of government. The only time he gets a first-hand knowledge of their existence is when he has a complaint about service, or more likely when he receives his property-tax bill. When they are looking at that long list of governmental units which their tax dollars are taken to support, many citizens wonder whether they are getting their money's worth and whether all these different layers of government are really necessary. The reform and modernization, indeed the streamlining, of local government is, and should be, one of our top priorities.

The Governor rejected proposals to establish regional government as a move toward creating another layer of government. But in doing so, he echoed the very claims about the present structure of local government made by the proponents of regionalism — that the present system makes no sense because there is too much overlapping and duplication, that the public has no real voice in local government, and that wholesome changes must be made to make the system economical and efficient. [Governor's "legacy" task forces seek ways to strengthen local government . . .", *CJ*, January 1973, p. 7].

Task force findings

Now the study period of the task force is about at an end. In his state-of-the-state message, the Governor will tell the Legislature in general terms what his six-man panel has found. Meanwhile, the task force will give Reagan's cabinet a range of policy options, and the recommendations should be published about March 1st.

Will, as the Governor suggested, the task force propose radical changes in local government structure? On the contrary. The task force chairman, Robert B. Hawkins Jr., 32, former director of the state Office of Economic Opportunity, will report that the Governor's premises were wrong and that all the literature on the restructuring of local government is based on false assumptions. Hawkins reported that his group has found:

- Local government in California is not unplanned, uncoordinated, inefficient and uneconomical.
- Once a local agency hits the population range of 30,000 to 50,000, it reaches its peak in efficiency and economy.
- The claim that special districts are inefficient is wrong; they are more efficient than other forms of local government.
- Independent special districts (as contrasted to those operated by cities and counties) go out of business at the rate of five percent a year. This counters the contention that, once formed, a district will remain in business forever.
- In the last election, 60 percent of all special district seats were contested. This rebuts the argument that district boards are self-perpetuating and that the public has no voice in their operation.
- There is a tremendous amount of cooperation between governmental agencies, although city and county folk don't speak quite the same language.
- Multipurpose or umbrella regional governments are not the solution because air basins run east and west, water runs north and south, transportation routes differ, and there is no logical boundary for such a governmental agency in any of California's urban areas.
- Changing county lines on a wholesale basis is not practical. Each of the six members of the task force independently drew what he considered ideal lines and all six plans were different.
- Local agency formation commissions, which can veto new districts and annexations in each county, should be weakened.
- There has to be one level of government with an absolute relationship between what the citizen pays in taxes and what he gets in services — without the possibility of veto by a higher-ranking level of government. The task force has gone deeply into the concept of small neighborhood governments.

If Hawkins rejects the common beliefs about the future of local government, what then will be recommended to the Governor? The above findings and the recommendations that come from them have a common thread — letting people at the lowest level make their own decisions. This means, for example, making it easier for special districts to be formed and dissolved, allowing governmental agencies to make contracts with each other and with private enterprise on a more sweeping level, making it much easier for county lines to be changed when the people in the affected region choose to do so, eliminating the veto power of the local agency formation commissions and replacing it, perhaps, with a higher voting requirement for the formation of new districts.

The local government reform issue was brought to

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the Governor several years ago by Assemblyman John T. Knox of Richmond. Knox has been attempting for years to enact legislation creating a powerful Bay Area regional government. As chairman of the Assembly Local Government Committee, he gave Reagan his pitch for the plan. The Governor's reaction: Why not simply merge the Bay Area counties instead of creating a new level of government? And it was that approach that Reagan handed to Hawkins — and that has been so thoroughly rejected.

Hawkins, who holds a doctorate in local government, expects to leave the administration soon to enter the private-consultant field. But he will face a hard struggle in the Legislature if he expects to sell the product of his task force's labors. He conceded that he has not been able to win unanimous agreement on key points from within the task force; the two local-government representatives on the panel — John D. Phillips, retired Pasadena city manager, and Earl Strathman, retired Alameda County administrator — offered the most opposition. Phillips has been especially strong in his opposition to the neighborhood-government concept, according to Hawkins. (The other task force members are Charles D. Hobbs, veteran of other Reagan task forces, including the one that put together his tax-limitation scheme; Allen Hyman of Santa Monica, a research economist; and Gregory C. Krohm of Roseville, an economist.)

Robert Hawkins

Perhaps realizing that the task force's package would not appeal to a majority of the Legislature, there has been talk that the program would be presented to the voters as an initiative. But that talk subsided after voters rejected the product of the Tax Reform Task Force, Proposition 1, last November.

Common views

The direction taken by the task force will come as a surprise to those of all political philosophies, who had welcomed the Governor to the local-government reform club. These are the kinds of findings and recommendations that had been promulgated by others interested in the subject:

- Thomas E. Huebner, assistant city manager of Sacramento, urged in *Western City Magazine* that major changes should be made in city and county boundaries and different forms of government created to serve urban and rural needs. Big government, he wrote, is not objectionable if it is effective and responsible; home rule is hardly desirable if it means ineffectiveness or impotence.
- The conservation organization California Tomorrow proposed that 10 regional governments be created for all of California and that all federal revenue sharing funds be funneled through them.
- Mike Manley, once an aide to former Assembly Speaker Jess Unruh, issued the following statement in his role of board chairman of a special district: "Our special district is not non-government .... It is virtually an invisible government. There is simply no way interested citizens or the media can possibly keep track of the activities and spending policies of a multitude of special districts. Such government is not healthy in a democracy, where public affairs require citizen participation."
- Dr. Royce Delmatier, professor of political science at Chico State, endorsed the task force's study in a paper before the Governor's Council on Intergovernmental Relations (a local-government coordination agency that is now all but defunct). But he was talking about reducing the number of counties markedly, as Denmark has done, abolishing unincorporated areas, and eliminating the "jungle" caused by overlapping local agencies.

These are the kinds of statements legislators have been hearing for many years. And the majority, at least in the Assembly, have taken the same view. It was this philosophy that led, for example, to creation of local agency formation commissions in each county and prompted Assemblyman Knox to introduce his Bay Area regional government legislation year after year.

Lack of interplay

Knox can be expected to react the most violently to the product of the task force. He had been assured by the Governor's office that the task force would work closely with Knox's local government committee. After the task force was formed, Knox informed the Governor's office that this was not being done. Hawkins paid a courtesy call on Knox, they exchanged pleasantries, and that was their only direct contact. Later, two task-force researchers asked Tom Willoughby, head of the committee staff, whether some material was available. It wasn't and they departed.

Willoughby claims that he has been forced to keep track of task force activities through "a spy network". The big fallacy in the work of the task force, he says, has been the almost total reliance on cost-benefit ratios in determining the efficiency of governmental entities. Market economics cannot be applied to local government without other factors being taken into consideration, Willoughby argues. He predicted that the Reagan Administration will push for a change in zoning laws to require that a public agency compensate a property-owner every time it "downzones" a parcel from, say, industrial to agricultural. But there would be no payment by the property-owner for "upzoning", he added.

Death of Bay Area bill?

Knox will be especially disturbed by the task force package because it could mean the death of his Bay Area regional government bill (AB 2040). It has already cleared the Assembly and faces rough sledding in the Senate. Two years ago, the California Republican Assembly was successful in keeping GOP Senators in line against a similar measure. If the administration opposition hardens as a result of the task force stand, the bill would face almost certain veto, even if the Senate could be convinced.

The Knox bill proposes a form of government that goes beyond any regional agency now operating in California. The Tahoe regional agency, the San Francisco Bay Conservation and Development Commission, and the year-old coastal zone commission all are limited in power to control of land. And the regional associations — such as the Association of Bay Area Governments and the Southern California Association of Gov-

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ernments, the San Diego Comprehensive Planning Organization and the Association of Monterey Bay Area Governments — are voluntary organizations with little power. Under the Knox bill, the Bay Area Regional Planning Agency (BARPA) would exercise veto power over cities, counties and special districts in such areas as transportation, land-use, pollution control, and park and open-space development. It would cover the nine Bay Area counties and would be financed by a real-estate transfer fee.

'Same old faces'

But the powers of the proposed agency have hardly been discussed during the long legislative history of the Knox proposal. Instead, the debate has centered on who would govern the agency — councilmen and supervisors or directors elected by the people under a ward system. Knox wants the board directly elected, but he has come to recognize that the opposition of cities and counties and ABAG is sufficient to kill any such plan. Consequently, the bill that went through the Assembly August 23rd on a 41-25 roll call gave total control of the agency to councilmen, mayors and supervisors. "This is the only way to get rid of local government opposition," the author told his colleagues. The Bay Area delegation was divided, and the attack on the measure was led by Assemblyman John J. Miller of Berkeley, a proponent of regional government but an opponent of giving all 34 directorships to cities and counties. He declared: "It is most difficult for me to vote for another layer of government if that layer is to have the same old faces."

Knox found that some of the traditional opponents of his bills — primarily cities and counties — were now behind him. And those who have led the fight for regional government, like the Bay Area Council and the League of Women's Voters, were against him. So he tried to come up with a compromise. Now he is trying to sell what is known as the "Denver plan", a scheme in which the public picks the directors at regular elections but only mayors, councilmen and supervisors can run. Theoretically, this would allow the voters to select between candidates of differing philosophies from among those already in office.

John Knox

Knox's chances of selling the Denver plan are not especially good. Those on both sides of the issue indicate that they might be able to go along with it, but not very enthusiastically. And even should this problem be resolved, there is still the Republican Assembly opposition to any regional government plan and the demand by Senator Clark Bradley of San Jose that any proposal be put to the voters before it can go into effect. Beyond that, there is the presumed veto by the Governor.

City-county consolidation

With the prospects for the Knox proposal slim at best, the attention of those campaigning for regional government will center on the efforts of a citizens committee in Sacramento County. The Sacramento effort meets with the approval of the Reagan Administration because it is being done from the ground up and would require a vote of the people. Sacramento County Supervisors and the Sacramento City Council formed a committee on local government reorganization to come up with a plan for merging the city and county governments. The committee now calls itself the Sacramento Charter Commission because that is more descriptive of its work. The goal is to present to the voters in November a new charter for a merged city and county of Sacramento.

The problems facing the commission are immense. Already the commission has scheduled a series of 10 public hearings starting January 9th, but executive director Glen Sparrow has indicated that more may be needed. The city and county have been trying for several years to consolidate their libraries, but haven't been able to complete the job. It will obviously be much more difficult to merge all city and county operations, plus some special districts. Some of the specific problems:

- Will the three other cities in the county — Galt, Isleton and Folsom — retain their independence and get needed services from the new city-county government?
- How can the various retirement plans be merged to provide uniform benefits without the cost skyrocketing? (The city is already in financial trouble because of retirement-fund problems.)
- How can the issue clear both the city and county governing boards if either councilmen or supervisors must emerge in a better or worse political position?
- What can be done to avoid opposition from any police organization or any fire district that loses power (or indeed is abolished) in the potential merger?
- How can those now in the city be assured that the merger will not cost them more money, and those in unincorporated areas be guaranteed that they will not get short shrift?

These kinds of problems are inherent in any local government reorganization plan. That is one of the reasons why anyone assigned the task of proposing a local-government reorganization scheme finds the problem of structure the most difficult. As Hawkins pointed out, his task force probably could never agree on new county lines.

League of Cities plan

The League of California Cities avoided the structure issue entirely in its effort to propose a local government reorganization program, the so-called Action Plan adopted by the league in October. The proposal, developed by the league's staff and four consultants, represents a major departure for the league, and Willoughby calls it "surprisingly progressive". Don Benninghoven, the league's executive director, said he was amazed that it was approved.

The league, according to Benninghoven, had for too long been merely reacting — and often negatively — to the legislative proposals of others. It needed to develop a positive program on which to base its decisions. But there was another reason for initiating the Action Plan. The league wanted to get something adopted before the Governor's task force issued its report.

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Benninghoven said that, were the Action Plan put into effect, changes in the structure of government would follow automatically. It would have been fruitless, he emphasized, to have started by drawing new governmental boundaries.

Here are the major elements in the League of Cities plan:

- *Environmental Control and Land-Use Authority.* Cities would assume expanded authority and responsibility for managing environmental quality through comprehensive land-use planning and control. This would include planning and regulating urban development, and providing greater authority for dealing with annexation and zoning questions. Cities and counties would assume a coordinated area-planning function through an Area Coordinating Council created by locally elected officials. Inconsistencies among local plans would be resolved by area councils. Any special district and state programs affecting the area would have to conform to the city-county area plan. A state coordinating council would be created, under the chairmanship of the Governor, to develop a state resources conservation and development plan to be submitted to the Legislature.
- *Social Responsibilities of Cities.* Municipalities may assume the responsibility of assessing social needs within the city and insuring adequate delivery of social services. Included would be employment, health, crisis intervention, affirmative action, civil rights, legal assistance, transportation for the poor and aged, consumer protection, cultural activities. Cities would be authorized to develop a social-services general-plan element indicating the goals and objectives, standards and priorities for meeting community social needs. Cities could choose to deliver certain social services when they wish to increase the basic level provided by the county.
- *Public Employee Relations.* Extreme caution should be taken with respect to the establishment of any statewide board to administer employer-employee relations throughout California. The creation of local and regional boards should be encouraged but with limited power. The right of public employees to strike should not be legalized.
- *Expansion of the Revenue Base.* Cities should have the authority to levy an income tax or should have access to income-tax revenues through intergovernmental tax-sharing agreements. Other sources of income that should be given to municipalities are a sales tax on personal services, extension of the utility-use tax, an increase in the motor-vehicle and liquor-license in-lieu fees, a rise in the property-transfer tax, a hike in the gasoline tax, and imposition of a tax on alcoholic beverages by the drink (a so-called tippler's tax). All costs of welfare should be transferred to the federal government. A statewide property tax should be imposed to equalize aid to school districts.

Counties react

Just as the League of Cities reacted to the Governor's task force, the County Supervisors Association made its move after the Action Plan was under way. Richard E. Watson, who took over as executive director of the association in August after serving as administrator of Millbrae in Marin County, admits that the County Modernization Commission (the "Mod Squad") was formed "because everyone else was doing it." But unlike the league, he emphasized, the counties intend to propose a restructuring of local government.

The counties are going about the project in an unusual way. First, the project is being financed by voluntary contributions from the state's 58 counties. The original budget was $100,000 for the year-long study, but Orange, Sutter, Mariposa and Yuba Counties refused to contribute, and the budget was scaled down to $91,000. Secondly, the Mod Squad has been divorced from the association staff and the study is directed by an outside consultant, Leroy J. Drake, 49, retired San Joaquin County administrative officer. What Drake and his aides develop must go through the commission itself, headed by Supervisor Donald Peterson of Humboldt County, various association committees, and the association's board of directors. The remains will be presented at CSAC's convention in Anaheim next November.

Drake said his analysis has started with a detailed inventory of services now being performed by various local-governmental agencies in California (with the exception of school districts), and he has already catalogued some 127 different services. That is the easy part. The next step will be to arrange these services into a logical pattern and assign them to levels of government. The proposed new structure of local government in California would flow from this.

The supervisors claim it was Governor Reagan who set the Mod Squad in motion in an address before the CSAC annual convention in 1972. Declared Reagan:

> Do we have the will and the courage to look at our governmental structure, to evolve a practical plan whereby tasks and services performed by government will be assigned to those levels of government best qualified to handle them, to construct a revenue system to match with sufficient tax sources for the tasks assigned to each level of government? Are we willing to look at traditional boundaries and county lines to see if they meet the present-day needs of California?
> I have a dream that perhaps California can set a standard of government reform that will make possible efficiency and economy in government at a level never before realized.

The Governor is entitled to a major share of the credit for all the activity designed to bring such a dream to fruition, notably the studies by the cities, counties and his own task force. But it will be a long, hard road between recommendations by various study groups and enactment of any restructuring measure by the Legislature — especially since the Reagan Administration and the Legislature's local-government leadership are striking out in opposite directions.

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Who will go to the starting gate?

The long period of trial balloons and political procrastination is about over. After months and even years of preliminary maneuvering for the 1974 state elections, potential contenders for Governor and other constitutional offices must take their positions at the starting gate or scratch themselves from the race card. The filing period for the June primary starts February 11th, and there are these key questions remaining:

- Will there be more than two major candidates for the Republican nomination for Governor (other than Lieutenant Governor Ed Reinecke and Controller Houston I. Flournoy)?
- Will the apparent decision by Attorney General Evelle J. Younger to seek reelection rather than risk his political career in the gubernatorial scramble produce a domino effect among other candidates? Will Robert Finch sit out the 1974 election or run for United States Senate?
- Will all five major Democratic candidates for Governor remain in the race?

Managers of both the Reinecke and Flournoy campaigns were elated with the prospect of a two-man race in the GOP primary. As the automatic beneficiary of conservative support, Reinecke thought that he could take the primary merely by concentrating on an appeal to the conservative element of the party, which usually dominates primaries. Flournoy felt that he could win by showing the public how much more talented he is than the Lieutenant Governor.

In early December the word spread through political circles that Finch had abandoned his plan to run for Governor and was considering a shot at Cranston. Should Finch decide to go for Senate, would he be forced to take on Dr. Earl Brian, state secretary of health and welfare, a favorite of Governor Ronald Reagan? There was some speculation that Brian or William S. Banowsky, GOP national committeeman and president of Pepperdine College, might enter the Governor's race, especially if Younger decided to seek reelection.

Younger's change

Younger had been talking for months like a certain candidate for Governor. But as the filing period approached, it appeared that he would merely try to retain his present office. These factors underline his change of heart:

- The November California poll by Mervin D. Field showed that the Attorney General had suffered a loss in the "strongly favorable" category since February.
- Younger was experiencing difficulty raising campaign funds, as was every other candidate with the exception of Mayor Joseph Alioto of San Francisco.
- Perhaps, most important, the risk appeared too great. There is a strong possibility that 1974 will be a Democratic year, and, in that case, the GOP nomination for Governor would not be a prize worth winning. By going for reelection, Younger would stand a much better chance of remaining in office, and he would be in position to take a shot at the governorship in 1978.

Younger's apparent decision had a ripple effect. Assemblyman Walter Karabian, a former deputy district attorney in Los Angeles under Younger, had announced his candidacy for Attorney General. But he made this move only after determining that he would not be facing his former boss. Karabian now could change his mind and enter an already crowded field in the race for the Democratic nomination for Secretary of State.

Evelle Younger

Jerome Waldie

Should the GOP gubernatorial primary be a head-on clash between Reinecke and Flournoy, a key question could be the effect of the Watergate syndrome on rank-and-file conservative Republican voters. Field and other pollsters have found that the succession of scandals in Washington has been especially disillusioning to bedrock Republicans, who could react by sitting on their hands in the 1974 election. Normally, Reinecke would be the favorite, perhaps by a 2-1 margin, in a two-man race. But Flournoy stands to be the big gainer from any Watergate fallout. This is because Reinecke was

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involved in the ITT controversy related to efforts to hold the 1972 Republican National Convention in San Diego, and because the conservative voter would normally vote for Reinecke. Also, the entrance of Brian into the race would hurt Reinecke more than Flournoy.

November's field poll showed that Reinecke will start the campaign with a big lead — an 83 percent recognition factor and ratings of 21 percent "strongly favorable" and 54 percent "somewhat favorable". Flournoy was fourth (behind Reinecke, Finch and Younger) with a 66 percent recognition factor and ratings of 11 percent "strongly favorable" and 43 percent "somewhat favorable".

These early polls must be assessed carefully: they do not reflect commitments among those surveyed to vote for the people they now prefer. Analysts claim that at this point the most significant element in the gubernatorial surveys is the unusually high unfavorable opinion of Alioto — 25 percent — even though he ranks second to Secretary of State Edmund G. (Jerry) Brown Jr. on the plus side.

Unfortunately for Assembly Speaker Bob Moretti the Field survey was taken just before the November special election on Proposition 1. As it was, Moretti made a healthy gain and can now be lumped with Brown and Alioto as the early leaders in the contest. Pollsters concede that Moretti would have done even better had the survey been taken after the election, when the public was exposed to considerable publicity giving Moretti credit for leading the successful campaign against the Governor's tax-limitation initiative.

The poll also showed that Congressman Jerome R. Waldie is making steady progress — but not nearly enough to put him up with the three frontrunners. Waldie benefitted from a walk through Southern California and from the publicity he is getting now as a leader in the effort to impeach President Nixon. According to the Waldie campaign staff, the congressman made the biggest gain of all in the November California Poll if it is compared with a comparable survey taken last August. (Field chose to use a February poll for comparison purposes.) At this point, Waldie has two prime assets — the ability to remain in the public eye through Watergate and a public image that does not include any strong negatives.

What of state Senator George Moscone of San Francisco? He has not made much progress in the polls and elected to attempt a watered-down version of the Waldie walk — a jeep tour, from the Oregon border to Mexico — to get his campaign rolling. There have been persistent rumors that Moscone would withdraw and run for something else, like Attorney General or reelection to the Senate. But this has been hotly denied by the Senator and his youthful staff. (Although Joseph Cerrell, Los Angeles campaign director, is on the Moscone team, most of the strategy is being handled by a relatively youthful crew of Moscone aides, including Don Solem, Bernard Teitelbaum, George Miller, John Jervis and Don Muir.)

George Moscone

In a five-man race, the only apparent chance for a Waldie or a Moscone would be for two of the frontrunners to falter. What chance would there be for either of the other two candidates, William Matson Roth and Herb Hafif? At this point, there is none, according to the Field poll. Neither Roth nor Hafif is well enough known by the public to elicit positive or negative responses from the electorate.

The effects of the California poll cannot be minimized. Even this early it can influence the outcome of elections. (This is one reason why Karabian introduced a bill — since dropped — to ban polling during campaign season.) Politicians make strategy decisions based on how they are doing in the polls; contributors are reluctant to shell out cash to candidates who look like losers, and like to back winners; and the voter shows great hesitancy in supporting those back in the pack.

And so, the time for decision approaches: Who will go to the starting gate?

The current list of potential candidates

Republicans

Governor. Controller Houston I. Flournoy; Lieutenant Governor Ed Reinecke; Attorney General Evelle Younger; former presidential counselor Robert H. Finch; William S. Banowsky, president of Pepperdine College; Ivaldo Lenci, Sacramento businessman.

United States Senator. Finch; Mayor Pete Wilson of San Diego; state Senator H. L. (Bill) Richardson of Arcadia; Dr. Earl Brian, state secretary of health and welfare; Banowsky; Gordon Paul Smith, former state finance director.

Lieutenant Governor. Joe Blatchford, former Peace Corps director; John Veneman, former undersecretary of health, education and welfare H. D. Timm Williams, former state Indian affairs advisor; Senator John L. Harmer of Glendale; Assemblyman Floyd Wakefield of Downey Ben Fernandez, Encino business consultant.

Controller. Assemblyman William Bagley of San Rafael and John Kehoe, state director of consumer affairs.

Attorney General. Younger and state Senator George Deukmejian.

Treasurer. Incumbent Ivy Baker Priest.

Secretary of State. Mike Montgomery, South Pasadena councilman; James Flournoy, unsuccessful 1970 candidate for Secretary of State; John G. Schmitz, 1972 American Independent Party candidate for President; Brian Van Camp, corporations commissioner; James L. Shinn, Lake County clerk-recorder.

Democrats

Governor. Mayor Joseph Alioto of San Francisco; Secretary of State Edmund G. (Jerry) Brown Jr.; Assembly Speaker Bob Moretti; Senator George Moscone of San Francisco; University of California Regent William Matson Roth; Representative Jerome R. Waldie; Herbert Hafif, Claremont attorney.

United States Senator. Incumbent Alan Cranston; Howard L. Gifford of Patterson.

Lieutenant Governor. Roger Boas, former San Francisco supervisor; state Senators Mervyn Dymally and David Roberti; Howard Miller, University of Southern California professor; John Merlo, Chico attorney; Bernice Slater, Sacramento broadcaster.

Controller. Assemblyman Ken Cory of Orange County; Supervisor Robert Mendelsohn of San Francisco; John C. O'Keefe, Los Angeles businessman.

Attorney General. William Bennett, member of the state Board of Equalization; Assemblyman Walter Karabian; Vincent Bugliosi, prosecutor of Charles Manson.

Treasurer. Milton Gordon, former state real estate commissioner and unsuccessful Democratic nominee in 1970; Gray Davis, finance aide to Mayor Tom Bradley of Los Angeles.

Secretary of State. William Durley, Sacramento County Clerk; Assemblywoman March K. Fong of Oakland; Senator Alan Short of Stockton; Herman Sillas, Los Angeles attorney and Chicano leader; Cathy O'Neill of Los Angeles, 1972 state Senate candidate; James R. Harvey, Arcadia businessman; Assemblyman Karabian.

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DMV's struggle to meet demand for driver's licenses

When the state Department of Motor Vehicles reached the 23rd year of its driver's-license testing program in 1950, California's five million drivers and five million motor vehicles were the responsibility of 180 examiners. In the 23 years since, seven million more drivers and nine million more vehicles have accumulated, and the present supply of 500 examiners has difficulty keeping up with the demand.

"We haven't been able to recruit enough people to fill all the vacancies we have," said Danny Anderson, who conducts classes for prospective examiners in Sacramento. The DMV has a statewide recruiting campaign under way to replace examiners who have retired, quit, or been promoted. Previous campaigns this year have failed to lure a sufficient number of candidates, and DMV spokesman Erwin Cooper speculates that the starting salary of $683 a month may be too low, a situation the department tends to downplay by stressing a greater emphasis on DMV career potential.

Why more examiners? The fact that by 1975 California is expected to have more than 13 million drivers operating 16 million vehicles is, of course, the most obvious reason. Though the license-testing program operates with a $19.3 million budget, its director, E. K. Ball, laments the fact that his staff has not grown proportionately with California's driver population. In the last decade, there has been a net increase of only two DMV branch offices. While the number of examiners grew from 180 to 478 in the decade of the fifties, only 32 additional examiners have been hired in 13 years.

The slowdown in hiring during that period resulted, in part, from a lightening of the examiners' workload, according to Cooper. Since 1960, examiners have been relieved of certain clerical duties, given discretion to reduce driving tests from 15-minute sessions to nine, and allowed to administer a brief vision test. The result, said Cooper, is that the existing corps of examiners is able to take on a heavier volume of testing without a proportionate increase in manpower.

But, according to Ball, that is no longer the case, and he insists that behind-the-wheel testing is an essential part of the state's driver-licensing program. "No machine or written test," he explained, "can tell so much about a driver's habits — good and bad — as the examiner who gets in that car and rides with him."

Surge expected

His staff, Ball continued, faces an especially difficult task in 1974, when the expiration date of driver's licenses is cut from five years to four. This change is expected to add 900,000 licenses to the usual 3.4 million original and renewal licenses issued annually. While he hopes to ease that burden somewhat by automatically exempting for a year 275,000 of those drivers, Ball concedes that the workload will still be growing.

To deal with the increase, the DMV announced last month that out-of-state drivers who settle in California will no longer have to pass a behind-the-wheel test before receiving a license, though the written test will still be required. DMV Director Robert Cozens said the change was possible because of "increasing similarity" in licensing standards and driving conditions in the 50 states. (Not all 49 states, however, have agreed to reciprocate for licensed California drivers who settle within their boundaries.) Cozens estimated that the new procedure will eliminate the need for about 198,000 tests this year and save about $380,000.

Another means of managing the growth problem, Ball said, would be to base testing procedures on an applicant's driving record. If a driver had a good record, for example, he would qualify for a simplified, shortened version of the written test when applying for a renewal. This change also is under study.

New requirements

The DMV's examiner corps, while perhaps lagging behind the growth in the number of state motorists and their vehicles, nevertheless has undergone a major change over the years. The department used to attract people who had retired from other jobs — many from the military. "We were getting a lot of people who would be with us for just a few years and leave because of their age," said Ball. The result was a relatively rapid turnover, and much of the department's recruiting has been to fill positions opened by retirement.

All that has changed. Applicants for examiner positions now must have at least two years of college with some study in psychology and sociology. Because the DMV regards the examiner's job as a "people-oriented" position, it believes that the college requirement better equips its staff to deal with the public, sometimes in difficult situations. The college requirement also is attracting younger applicants to the department now.

"We finally are getting people with management potential, people who will stay with the department as a career," Ball said.

Besides satisfying an educational requirement, an applicant must undergo written and oral tests. Success there wins a spot in a six-week course at DMV headquarters in Sacramento to become familiar with California's Motor Vehicle Code and to learn driver-testing techniques. "We are just trying to give these people some basic information," said Anderson, who conducts the course. "We want to see if they have the ability to learn and how they react to the public. Attitude is the most important thing we measure here."

Once assigned to a DMV office, the new examiner embarks on a monthly pay scale that ranges from $683 to $830. Bùt the monetary reward, if modest, is exceeded for some by the rewards of the job itself. "What we need," Ball said, "is a person who is somewhere between a high-pressure salesman and a researcher in personality type, somebody who can enjoy dealing with a variety of people." An instructor suggested that a touch of masochism might not be misplaced. "There can be certain pleasures," he explained, "from the risk you take every time you drive off in a car with somebody who may be a lousy driver."

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State ends prohibition on drilling new oil wells off Santa Barbara coast

Three hundred wells off the Southern California coast have been producing up to 60,000 barrels of oil a day, but since January 28, 1969, no new wells have been drilled on state-owned offshore land. That moratorium, imposed after a federally leased well blew out and fouled the Santa Barbara area, was lifted December 11th. The action could increase production within a few months by up to 5,000 barrels a day.

In lifting the ban, the state Lands Commission accepted a staff report's assurance that "offshore drilling in California waters will be as safe as it can be made" under new rules described as "the most stringent ever devised." But any new wells will be approved individually, the commission emphasized. "We estimate that there are 200 million to 300 million barrels of recoverable oil underlying existing state leases," said the commission's executive officer, Ed Gladish. The commissioners -- Controller Houston Flournoy, Lieutenant Governor Ed Reinecke and Finance Director Verne Orr — said in Chairman Flournoy's words, that they were "not in any way, shape or form stampeded into this because of the current oil shortage."

Meanwhile, a frustrated legislative subcommittee went to court to try to force five oil companies to turn over documents relating to their pricing policies. The companies -- Mobil, Exxon, Standard Oil of California, Union and Texaco — charged the subcommittee with conducting a "fishing expedition". The subcommittee claims that it wants the material to examine charges that the companies are underpaying the state by $150,000 to $250,000 a day in their purchases of tideland oil.

Coastal commission rejects two nuclear plants at San Onofre

For perhaps the first time, the year-old California Coastline Commission overruled the U.S. Atomic Energy Commission. The precedent was struck December 5th, when the state body denied a request by the Southern California Edison Company to build two nuclear generating units at its San Onofre plant. The vote was 6 to 5 for approval, but eight votes were needed. The coastal commission's staff had urged denial, maintaining that the proposed site would destroy a unique sandstone bluff and harm fish life.

State board wallows in backlog of complaints against contractors

The Contractors' State License Board is buried under more than 13,000 complaints against contractors filed by consumers in the state. The Commission on California State Government Organization and Economy, the so-called Little Hoover Commission, looked into the situation and reported difficulty in assigning blame. Commission Chairman Manning J. Post said the cause of the backlog "is as elusive as a handful of Jello." He called the situation "bureaucracy at its very, very worst."

Board representatives told the commission that the Legislature appropriated nearly $800,000 last year to add enough personnel to whittle down the backlog, but that the state Personnel Board hadn't yet provided a list of qualified candidates. The state Personnel Board's representatives said they weren't aware any emergency was involved and would provide some names next month. "If the Personnel Board was running a war," Post commented, "we'd all be dead before they decided to fill out the forms."

Proposition 1 spending topped $3 million — most of it reported by the losers

Supporters of Governor Reagan's tax-limitation initiative, which as Proposition 1 was defeated by the voters in November, spent more than $2.3 million in its behalf, according to final spending reports filed with the Secretary of State December 6th. The measure's opponents, primarily the California State Employees Association and the California Teachers Association, reported spending about $700,000.

Legislature again questions administration's dealings on EDP contract

IBM signed a $19.9 million contract last month with the State of California to provide the main computer equipment for the Stephen P. Teale Consolidated Data Center. It did so without competitive bidding, a move authorized by the Legislature after prior bid attempts failed to produce a suitable alternative [*CJ*, July 1973, pp. 230-4]. But the signing of the contract was immediately questioned by both the Legislative Analyst and the Legislature's Auditor General, which keep an eye on executive spending.

Auditor General Harvey Rose complained that the Univac Division of Sperry Rand had offered to do the same work for substantially less. Legislative Analyst A. Alan Post charged the administration with "bad faith" for having quietly signed an earlier construction contract to prepare the center's site to IBM's specifications while still ostensibly negotiating with other potential vendors. As a result of such questioning Assemblyman Willie Brown scheduled additional hearings of the Ways and Means Committee to discuss the issue.

Procunier adopts hard-line policy in face of prison violence

After 20 deaths and 148 cases of prison stabbings, Director of Corrections Raymond Procunier last month adopted a hard line toward inmates, and he wasn't happy about it. "I'm sorry as hell," he told reporters. "That's why I didn't do this five years ago. Now it's a case of professional resistence, and there are a lot of people in this department who are struggling in their hearts about it. We've busted our butts to make these decent places." Procunier's leading legislative critic, Senator H. L. Richardson, blamed the director's "lack of toughness" for the violence and urged his ouster. Procunier, on the other hand, attributed the violence to increased probation programs leaving only hard-core felons in the prisons.

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Roundup of significant court actions

Responsible relatives

An adult child can be required to contribute to the support of an aged and needy parent, the Supreme Court held in a 4-2 ruling December 12th. In addition to contributing to a parent's support according to a fixed schedule, an adult child is subject to legal action by county welfare departments to collect money due, the court found.

The legislature in 1971 passed the Welfare Reform Act, which raised the scale that an adult child must contribute to an aged and needy parent. Two recipients of Aid to the Aged challenged the constitutionality of the law, and the Sacramento Superior Court issued a statewide restraining order preventing counties from assessing support charges. The action by the Supreme Court in *Swoap* v. *Sacramento Superior Court*, negates the lower court's order, though the Legislature last month greatly weakened the ruling's impact by restoring the pre-1971 schedule of payments [see p. 4].

The court noted that relatives' responsibility laws have a long history in California. "A long tradition of law, not to mention a measureless history of societal customs, has singled out adult children to bear the burden of supporting their poor parents," Justice Raymond Sullivan wrote for the court's majority. "This duty existed prior to, and independent of, any duties arising out of the state assistance to the aged. Subsequent statutes imposing liability upon the children of persons receiving aid to the aged merely selected a class of relatives who were otherwise legally responsible for the support of their parents."

The majority opinion also rejected the argument that the relatives' responsibility law discriminated on the basis of wealth. "The state," Sullivan wrote, "selects the children to bear the burden not on the basis of wealth but on the basis of parentage."

Justice Mathew Tobriner argued, in a lengthy dissenting opinion, that the majority opinion establishes a new constitutional standard not consistent with prior appellate-court decisions concerning the duty of children to "pay for benefits which the state, in its wisdom, decides to provide to other citizens." It means, he wrote, "that a government intent on reducing the general tax burden could single out insulated minority classes to bear a disproportionate share of the tax burden on a whole range of public services."

Tobriner said that the relatives' responsibility law discriminates against the poor and that such a law is often self-defeating because it is administratively infeasible, creates family dissension, and injects guilt and shame on many elderly citizens.

Justice Sullivan was joined by Chief Justice Donald R. Wright and Justices Louis Burke and Marshall McComb. Justice Stanley Mosk joined Tobriner in dissenting. Justice William Clark did not participate in the decision because he hadn't joined the court when the case was argued.

Husband support

Husbands and wives may not waive the right to be supported by each other in premarriage agreements, according to the court, which held in *Higgason* v. *Higgason* that the support obligation is part of the marriage contract. The law requires a wife to support a husband who cannot support himself because of infirmity.

The case was brought to the Supreme Court by William Higgason, who was 48 years old when he married 73-year-old Lolita Higgason in 1969. The court said Mrs. Higgason had substantial assets while her husband did not, and just before the marriage each party waived any interest in the other's property or estate or in the right to support. However, Higgason became seriously ill and incurred large hospital and medical bills. Mrs. Higgason moved him out of her home and sought to dissolve the marriage. Her husband countered by asking for support payments, but the trial court refused his request in granting the dissolution. Higgason appealed and the Supreme Court reversed the decision in the unanimous opinion written by Justice McComb.

Judicial benefits

Maxwell Willens, former San Joaquin Superior Court judge indicted and later convicted on charges of criminal conspiracy and bribery, cannot be deprived of benefits earned through a judicial retirement program.

Willens had been suspended pending his trial. Meanwhile, he filed for medical disability benefits after losing his bid for re-election but before his conviction. He had contributed to the disability program, which pays benefits based on a percentage of a judge's salary for as long as a judge is medically disabled. The Commission on Judicial Qualifications, however, contended that Willens should receive no benefits since it was his indictment and not a medical disability that prevented him from performing his judicial duties.

In *Willens* v. *Commission on Judicial Qualifications*, the court decided that depriving a disabled judge of disability retirement benefits solely because he had been indicted would be to violate the principle that an accused person is to be considered innocent until proven guilty. The court noted that Willens, though suspended, was still in office when he applied for benefits and still receiving salary from which disability program contributions were being deducted. Willens' later conviction, the court added, could not terminate these benefits, which must continue until he regains his health.

The unanimous opinion was written by Justice Burke.

— Compiled by Dennis Campbell

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Selected state government reports

EDUCATION

Priorities for Action: final report of the Carnegie Commission on Higher Education; published by McGraw-Hill Book Company. October 1973. A scholarly report, with tables and charts, of the views and conclusions of the commission. Available from the publisher, Hightstown, N.J. 08520. 243 p.

Opportunities for Women in Higher Education: their current participation, prospects for the future, and recommendations for action; prepared by the Carnegie Commission on Higher Education. September 1973. A comprehensive report dealing with attitudes and policies affecting women, both in their education and in their opportunities as faculty members. Available from the publisher, Hightstown, N.J. 08520. 288 p. ($4.95)

Toward a Learning Society: alternative channels to life, work, and service; prepared by the Carnegie Commission on Higher Education. October 1973. A report of objectives, problems and opportunities in post-secondary education. Available from the publisher, Hightstown, N.J. 08520. 117 p. ($2.95)

ENVIRONMENT

Summary Report: environmental goals and policy; prepared by the state Office of Planning and Research. June 1973. Basic principles and environmental goals and policies to guide governmental planning at all levels. 29 p.

General Plan Guidelines; California Council on Intergovernmental Relations. September 1973. Provides guidance to local government on purposes of a general plan and the drafting of its various components, ranging from land-use to safety. Available from the Office of Planning and Research, 1400 10th St., Sacramento 95814.

Directory of Land-Related Data Sources; Office of Planning and Research. October 1973. A guide to which agencies provide what kind of data relating to the environment. 144 p. Available from the office, 1400 10 St., Sacramento 95814.

MISCELLANEOUS

Administrative Segregation in California's Prisons; Alias: the hole, lockup, solitary confinement and the adjustment center; prepared by the Assembly Select Committee on Prison Reform and Rehabilitation. A report to the Legislature on adjustment centers and administrative segregation in California's adult prisons. September 1973. Available from the committee, 440-I State Capitol, Sacramento 95814. 150 p.

Preliminary Report of Review of Prepaid Health Plans for Medi-Cal Recipients: August 1973; prepared by the Joint Legislative Audit Committee. A preliminary audit and evaluation of prepaid health plans for Medi-Cal beneficiaries. Room 4126, State Capitol, Sacramento 95814. 13 p. (Free)

The Political Animal; published by The Political Animal, Inc., 5514 Wilshire Blvd., Los Angeles 90036. A weekly bulletin "for opinion-makers", tracking the personalities and issues making news in California politics. ($45 per year)

Legal Problems in Family Law; by faculty and students of the U.C. Davis School of Law, edited by Marc A. Levinson. 1973. A comprehensive review of the law as it adapts to changing values in family life. Discusses property rights, consumer credit, divorce, equality, children's problems, surnames, and many related topics. Available at U.C.D. Law Review, University of California, Davis 95616. 600 p. ($12 plus tax)

Skills of the Labor Force in California; prepared by Crocker National Bank, 1 Montgomery St., San Francisco 94104. A summary of the 1970 U.S. Census, showing the number of employed California residents, by occupation. 1973. 14 p. (Free)

California Environmental Law: a guide, third edition; by Gerald R. Mylroie and others. A concise guide to state laws dealing with environmental protection, including lists of state agencies concerned. 1973. 185 p. Available from Center for California Public Affairs, 226 W. Foothill Blvd., Claremont 91711. ($6.50)

The California State Documents Maze: A practical approach on how to get California documents and information; prepared by Ruth Elwonger, publications librarian for the State Library in Sacramento. November 1973. A listing of sources of state government documents. Available from the author, 1733 Sherwood Ave., Sacramento 95822. 12 p. ($5.00).

NOTE: Unless otherwise indicated, reports may be obtained by writing the publisher, state agency, or legislative committee at the address given. Prices are listed when available.

Recent appellate decision

Because a telephone company credits a subscriber's bill for the time that a phone is out of order doesn't prevent the customer from seeking damages in court. In *Waters* v. *Pacific Telephone Co.,* the First District Court of Appeal noted that state law requires the company to provide "adequate" service to its patrons. Mona Waters had charged that she suffered substantial damages as the result of grossly inadequate telephone service over a period of a year and a half. The appellate court rejected Pacific Telephone's contention that a proration of the customer's bill was the extent of the damages she could demand. The company policy, the court said, could not stand in the way of a customer's right to seek relief in court.

CALIFORNIA CALENDAR

Meetings of the following state boards and commissions are listed each month, only if a meeting is scheduled: Trustees of the California State University and Colleges; California Community Colleges Board of Governors; California Council on Criminal Justice; Coordinating Council for Higher Education; Board of Education; Highway Commission; Little Hoover Commission; Park and Recreation Commission; University of California Board of Regents.

Jan. 10-11 — **Law Revision Commission.** State Bar Building, 601 McAllister St., San Francisco, 7 p.m.
Board of Education. Auditorium, 1416 9th St., Sacramento. 9 a.m.

Jan. 11 — **Park and Recreation Commission.** State Office Building, Room 1138, 107 South Broadway, Los Angeles. 9 a.m.

Jan. 17-18 — **Assembly Natural Resources and Conservation Committee.** Room 2170, State Capitol. 10 a.m. (Subject: "Oregon Bottle Bill")

Jan. 18 — **Regents of the University of California.** Los Angeles Convention Center.

Jan. 22-23 — **Trustees of the California State University and Colleges.** Office of the Chancellor, 5670 Wilshire Blvd., Los Angeles.

Jan. 24-25 — **Highway Commission.** Monterey. (Site undetermined).

Jan. 25 — **Veterans' Board.** Room B-109, State Building, 1350 Front St., San Diego. 1:30 p.m.

Feb. 5 — **Coordinating Council for Higher Education.** Sacramento. (Site undetermined).

The following boards and commissions follow a regular monthly schedule: Board of Agriculture, first Thursday of each month; Allocation Board, second Tuesday; San Francisco Bay Conservation and Development Commission, first and third Thursdays; Consumer Advisory Council, second Wednesday; Public Works Board, last Monday; Reclamation Board, second and fourth Fridays; Soil Conservation Commission, fourth Tuesday; State Lands Commission, last Thursday; Transportation Board, first Thursday; California Water Commission, first Friday; and Water Resources Control Board, first and third Thursdays.

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California *NEWSMAKERS*

All three Burton brothers of San Francisco may be on the ballot in next June's state primary election. Congressman **Phil Burton** will be running for reelection, Assemblyman **John L. Burton** wants to join Phil in Washington by seeking the Congressional seat now held by Republican **William Maillard,** who has been placed in a precarious position by reapportionment. The third brother, **Robert Burton,** has moved his residence to become eligible to succeed John in the Legislature. Robert, a teacher and member of the San Francisco Community College Board of Trustees, may face Assemblyman **John Foran** in the Democratic primary. Foran's district was divided by reapportionment, and he, too, has moved into John Burton's constituency.

A name even more familiar than Burton — Tunney — will be on the ballot in the new Eighth Assembly District now represented by Assemblyman **John Dunlap,** who intends to run for the state Senate. **Gene Tunney Jr.,** now an attorney in the Sonoma County public defender's office, has already hired a campaign manager. Tunney is the son of the former world heavyweight boxing champion and brother of U.S. Senator **John Tunney.**

While Governor **Ronald Reagan** was spending 12 days in the Far East on a presidential trade mission, there were indications that his financial backers in California were trying to line up a new "kitchen cabinet" candidate for governor — Republican National Committeeman **William S. Banowsky,** 37, president of Pepperdine College. Banowsky, a native of Texas who has served as a Church of Christ pastor, denied he was a candidate but left the door open for a change of plans. He was used last fall by the Governor as a television pitchman for Proposition 1. The projected Banowsky candidacy is based on the assumption that Attorney General **Evelle J. Younger** will not enter the race and that GOP financial angels are not satisfied with Lieutenant Governor **Ed Reinecke**.

Lyn Nofziger resigned as manager of Reinecke's campaign. Reinecke immediately accepted the resignation, stating that there was a fundamental difference of opinion between them on campaign strategy . . . . **James A. Moe,** state director of transportation, announced he will soon leave the Reagan Administration to return to private industry.

DeVan L. Shumway, long-time United Press International political writer in California and former chief of UPI's Capitol bureau, has assumed editorship of the Illinois State Journal, part of the Copley chain, which also includes the San Diego Union-Tribune and the Sacramento Union. Shumway had been employed as a public relations director for the Committee to Reelect the President (CREEP) and, as such, served as spokesman for some of those involved in the Watergate scandal.

A new map of the United States with 38 states carrying new names was proposed by **G. Etzel Pearcy,** a geography professor at Los Angeles State University. Pearcy's plan would divide California into two states — El Dorado, covering most of Northern California and the bulk of Nevada, and San Gabriel, including Southern California, Western Arizona and the southern tip of Nevada. The goal: efficiency.

A bodyguard was assigned to **Wilson Riles,** state superintendent of public instruction, following the murder of Dr. **Marcus Foster,** Oakland school superintendent . . . . **Joyce K. Kallgren,** professor of political science at the University of California at Davis, was named to a high academic post on the Berkeley campus: academic assistant to Vice Chancellor **Mark N. Christensen.** The appointment was viewed as a university effort to combat charges of job discrimination against women . . . . **Edward Helwick Jr.** of Culver City, a 12th-grade civics instructor, was named 1973 teacher of the year by the state Department of Education.

After 21 years of service, **Kenneth Hahn** finally was named chairman of the Los Angeles County Board of Supervisors. He took the job only after having rejected it when it was apparent that he didn't have unanimous support. After a change of mind by Hahn, those who had opposed him voted the unanimous support he wanted . . . **Marvin Freedman** resigned as Sacramento County welfare director to become Sacramento lobbyist for Los Angeles County, where he previously was assistant welfare director. Initially, he will assist veteran advocate **Francis McLaughlin,** who plans to retire this year . . . . **Bruce Baker,** police chief of Berkeley through some of the city's most hectic years, resigned to head police in Portland, Oregon.

Allan Grant won reelection as president of the California Farm Bureau Federation, despite a nominating committee recommendation in favor of **Fred Heringer** of Gridley, who was reelected first vice president. Grant, president of the state Board of Agriculture, has headed the bureau since 1963 . . . . The state Franchise Tax Board is attempting to collect $64,000 in income taxes from the estate of **Marilyn Monroe** for profits realized from her films in the nearly 12 years since her death.

APPOINTMENTS: **James D. Forward,** retired San Francisco business executive, as executive director of the California Arts Commission . . . . **John A. Maga,** executive officer of the state Air Resources Board, as deputy secretary of the state Resources Agency . . . . **Ford B. Ford,** former deputy secretary of the agency, as chairman of the new Occupational Safety and Health Appeals Board . . . . **Roger E. Murdock,** Los Angeles deputy police chief, as a member of the Board of Governors of the California Community Colleges . . . . **James P. Keating,** from deputy to chief of the division of consumer services in the state Department of Consumer Affairs . . . . **Austen D. Smart, Richard L. Braden** and **Joanne Lewis** to new posts in the state Controller's office, Smart as chief deputy to Controller **Houston I. Flournoy,** Braden as assistant deputy, and Lewis as chief of the division of disbursements.

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A PERSONAL PERSPECTIVE...

Reporting the news

Political writers and journalists in general rarely give much thought to the way they get the news they report. They simply go out and do the job, thinking exclusively of the content of the material and how it should be presented to the reader or listener. Since joining the *Journal* a few months ago, however, I have found myself suddenly cast in the role of an expert on how the media covers politics. I am now expected to give thoughtful lectures on the subject to classes of journalism and political science students. In self-defense, I have been forced to analyze the methodology of the political press and offer judgments on the value of each news source. For what it's worth, here's what I have been telling the students:

• *Press releases.* Every Capitol reporter gets an incredible volume of handouts each day from the Governor's office, legislators, government departments and politicians of every variety, in and out of office. Most of these releases should never have been issued, and belong in the round file — where most newsmen quickly put them. Wire services are the exception. They treat all too many handouts as though they were precious documents containing vital information that must immediately be dispatched to the public.

• *Press conferences.* The modern news conference is staged almost exclusively for the benefit of the electronic media. Reporters could be given the same information via a press release (and usually are) and can interview most of the subjects at will about any topic. The exception is the Governor, who is not readily available and who can be reached for general questioning only at his regular press conferences. Any correspondent hot on the trail of an exclusive story would be a fool to raise the subject at a public news conference.

• *Documents.* The California bureaucracy (and that includes the legislative and judicial branches of government) turns out an incredible number of reports each year. Most reporters either throw these away or pile them somewhere for future reference. Yet, even the dullest statistical surveys can occasionally provide the key to a significant story. On balance, however, many of these reports are a waste of taxpayer money.

• *Events.* The staple diet of the Sacramento political report is the Legislature, and its committee and floor sessions. Almost every aspect of life is covered at one time or another in the debates within the Senate and Assembly chambers and hearing rooms. The problem is that too many of the speeches are designed for public consumption and too many politicians do not always mean what they say (or say what they mean). Besides, if you've seen one full-scale debate on a topic, you've seen them all. In this category also are political speeches and meetings of various governmental agencies and political party organizations. Reporters cannot begin to cover all the events taking place in Sacramento, especially while the Legislature is in full swing. Even the wire services, with large staffs, are forced to pass up important hearings. Thus, reporters tend to become specialized and keep tabs only on a select number of topics. They depend on the wire services to give readers bare-bones coverage of the subjects they ignore.

• *Tips.* These come from individuals seeking to see justice done through press exposure or from politicians and others attempting to embarrass their rivals or enemies. Tips invariably are investigated even though a high percentage turns out to be partially accurate or entirely unfounded.

• *Interviews.* This is the most important tool in the kit of the serious reporter — but not necessarily the type of interview that may come to mind. There is limited value to a question-and-answer session in which a reporter, pad-and-pencil or tape recorder in hand, explores a variety of subjects with a political figure. These are okay for personality pieces or feature stories, but they rarely get at what's motivating this particular politician or government official. Politicians, almost by definition, have enormous egos. They love to talk and get their names — and especially their pictures — in the newspaper (or better still on television). But the politicians that count are also smart, and they know how to protect themselves when a reporter has pencil in hand.

The casual conversation can be a much more effective tool in ferreting out how the political process is working. It may take a reporter a half dozen chats in which sports, food and sex seem to be the topics at hand. A crucial political tidbit may be gleaned between comments about the physical attributes of the newest Capitol messenger.

One final method perhaps the most important, ought to be mentioned — obtaining information about the activities of a key politician by talking not to him but to those close to him. Often, a powerful politician is adept at covering his motives from direct examination by the press. But his lieutenants may be willing to describe in detail to a reporter friend what the big man is plotting. These sources can rarely be identified but are reliable. It is this method of digging that has caused all the furor about the role of the press in Washington. There has been no comparable fuss in California, perhaps because one of the first maxims a politician is told upon arriving here is: "There are no secrets in Sacramento."

ED SALZMAN

Lou Cannon, whose 'Washington Perspective' normally occupies this space, is taking a vacation.

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Courage is the knowledge of how to fear what ought to be feared, and how not to fear what ought not to be feared.

--David Ben-Gurion

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